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TO CITIZENS TO THE PUBLISHER

OF

and the War for the Union."

to A. Andrew, of Mass.

Boston, Sept. 20, 1861.

to your history of the rise and progress of the Southern
monthly part with some care, and have formed a very
but of the manner in which it is to be executed. Such
documents, relating to the present war, cannot fail to be
ars will be invaluable to all who will wish to study the
liberty and the rights of humanity.

Yours very truly,

JOHN A. ANDREW.

ard Everett, of Boston.

Boston, Sept. 18, 1861.

DEAR SIR:—I have looked cursorily over the first number of the monthly edition of the history of "The
Southern Rebellion and the War for the Union," and formed a favorable opinion of the plan and execution
of the work.

Respectfully yours,

EDWARD EVERETT.

Letter of Hon. John Sherman, of Ohio.

MANSFIELD, OHIO, Sept. 20, 1861.

SIR:—I have carefully read the first number of your history of the rise and progress of the present
rebellion. I heartily approve of your undertaking.

A carefully prepared record of the events connected with the present war will not only be of value now,
but will be an important magazine of facts for future historians. The history of this rebellion will hereafter
be read with as much interest as, and will be regarded as of even greater importance than that of the French
revolution.

Your work has already been of great service to me as a text book, for dates of important events. Your
historical summary is alone worth more than the whole cost of your book. Every intelligent reader will
have occasion to refer to it to revive his recollection.

I therefore trust that you will receive such a liberal share of patronage as will justify you in executing
your plan.

I am, very truly yours,

JOHN SHERMAN.

Letter of Hon. J. Holt, of Kentucky.

WASHINGTON, Sept. 18th, 1861.

DEAR SIR:—I am in receipt of yours of the 16th instant, and also of the first number of the monthly
edition of the history of "The Southern Rebellion and the War for the Union," for which I thank you. I
have only glanced at its pages, but hope to be able to give it hereafter a careful examination. The design
is *patriotic and praiseworthy*, and if the materials of the work are scrupulously collected and arranged, it will
be invaluable for purposes of history.

Very respectfully, your obedient servant,

J. HOLT.

Letter of Gov. Washburn, of Maine.

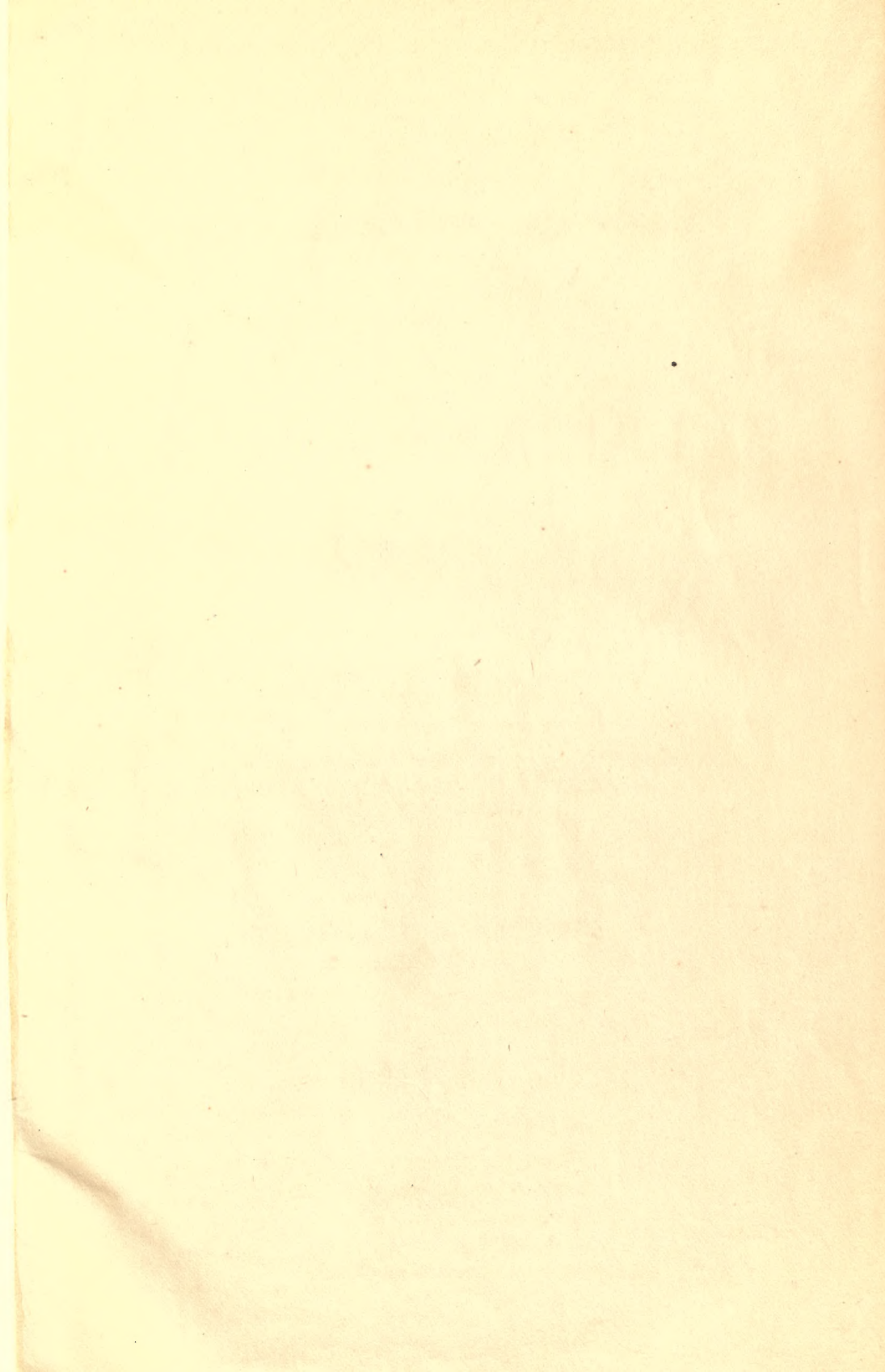
AUGUSTA, Sept. 19th, 1861.

DEAR SIR:—I thank you for a copy of the first number of the history of "The Southern Rebellion and
the War for the Union."

From a rapid examination of it, I am sure it will be an invaluable record of the most important era in our
national history. No intelligent citizen can afford to be without it.

Very respectfully, your obedient,

J. WASHBURN, JR.



THE
COMPREHENSIVE HISTORY
OF THE
SOUTHERN REBELLION
AND THE
WAR FOR THE UNION.

EMBODYING ALSO IMPORTANT STATE PAPERS, CONGRESSIONAL
PROCEEDINGS, OFFICIAL REPORTS, REMARKABLE
SPEECHES, ETC., ETC.

BY ORVILLE J. VICTOR.

VOLUME I.

New York:
JAMES D. TORREY, PUBLISHER,
13, SPRUCE STREET.

1862.

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P R E F A C E .

THE production of a *History of the Southern Rebellion and the War for the Union* which shall cover the entire subject, in all its aspects and relations, is a work of magnitude, comprising three distinct histories, each of which might properly demand a specific record. The Political, Social and Military conditions of the Rebellion are so clearly defined as to offer strong claims for their separate consideration; still, each is but part of a single whole; and each are so interwoven as to be treated in unity.

In assuming the responsibility of producing the History in its comprehensive form, I felt, but too keenly, the requisition for the exercise of abilities which but few persons are permitted to call their own. Clearness of apprehension, correctness of judgment, impartiality, power of grouping and association, patience of research—all to be guided by a style of narrative at once clear, concise, and impressive,—surely I might well have shrunk from the ordeal. But, the earnest desire to see the much-needed work performed, to place the public in possession of the story of the Secession Revolution, overcame apprehension for the result, and induced me to assume the responsible trust. How that trust has been discharged, the public must judge.

From the outset I have had to contend *against* the quantity of data offered as material for my work. The historian generally seeks for multiplicity in his authorities, thus to be the more able to secure a correct version of his story; but, in the present instance at least, there has been only too much "authority" offered. What with interminable versions of the same affair in almost countless papers—with news dispatches from responsible and irresponsible sources—with letters written in a partisan spirit, in ignorance or in malice—with endless Convention reports, speeches, ordinances, resolutions, &c.—with Legislative proceedings of many States—with the proceedings of two Congresses, and the documents of two cotemporary Executives—with the great ebb and flow of popular feeling in all sections, as represented by two thousand newspapers—I have been fairly oppressed with the weight and multitude of my witnesses. To reduce this chaos to order was a labor of many days, and if, in the reproduction of testimony offered, occasional errors have occurred, I feel that they were unavoidable, considering the circumstances under which this History has been produced—thirty-two octavo letter-press pages being demanded *weekly*. Still, I can but hope that errors of facts are few:—if they do occur, it is from no purpose to modify the record, nor to suppress the truth.

I acknowledge every obligation to the New York daily journals. Their extraordinary facilities of information, their vast net-work of correspondence, render them cotemporary chroniclers which no book-maker can slight in the composition of a history of the times. Their editorial views, or partisan bias, scarcely affect the statement of events, in which posterity will be chiefly concerned. Where a difference of statement has been made, having the several leading dailies at hand, and other collateral evidence, it is not necessary for the careful collaborateur of evidence to be led astray by the "writing up" or the "writing down" of editors and correspondents.

In reporting Congressional proceedings I have used, to a great extent, telegraphic abstracts or digests. Having before me, however, the Congressional *Globe*, I have been enabled to correct those errors incident to mere news dispatches; while, in the case of the great "representative" speeches of leading members of the two Houses, I have chiefly had recourse to the Official (*Globe*) reports. The pages of this work, therefore, become, *ex necessitate rei*, a repository of some of the finest specimens of eloquence and dialectics which now are a part of our oratorical treasures.

The State Papers and Documents reproduced are such as have true historical value and significance. I have used abstracts of such papers in but few instances, preferring that the public should be placed in possession of the originals. In the future, when this great struggle shall enlist, in its exposition, writers of various views, it will be the surest safe guard against misinterpretation or partizan zeal to be possessed of the official records. Having these, the intelligent reader need have no fears of being misled in his judgments.

The detail of State Legislature' and State Convention's proceedings has, to a large extent, been omitted. I preferred not to encumber the narrative with the processes of legislation when the final results would convey all historically necessary information. A volume would be required for each State, if its doings were given in detail. Such a work it will remain for some citizen in each State to perform, who shall have access to all sources of local information and proceedings. I may here confess my many obligations to leading citizens throughout the country for the interest they have taken in my labors. For their valuable suggestions, for their generous remittances of important documents and special information, for their publicly and privately expressed opinions regarding the work I was performing, I can but be grateful. In my future labors I trust their good offices will not be intermitted. I shall be ever happy to receive any information or suggestions which can add to the value of this History.

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INTRODUCTION.

THE unexampled prosperity of the United States of America has been pronounced one of the wonders of modern civilization. As the "Great Republic," it has stood apart and above all other Governments of Christendom. The vastness of its territory, the freedom of its laws, the extent of its intelligence, and the spirit of progress which animated its people, all have contributed to arrest a world's attention—to command a world's respect. Guaranteeing to every citizen liberty of conscience and speech—to every press the utmost freedom of expression—to every individual perfect protection of property and immunity from oppression of person or possessions—the Constitution of the United States had so grown in the esteem of Christian men, of all lands, as to be regarded in the light of a Gospel of Government. Animated by its spirit, guided by its system, secure under its all-pervading powers, the country had so perfected in material greatness as to astonish economists, and to challenge the admiration even of Monarchs. Here Liberty had its perfect embodiment. Here Humanity stood forth in its dignity and truth. Here Intelligence became the birthright of each and all. Here Peace reigned supreme; while, over boundless leagues of hills, vallies, plains, rivers, and lakes, the jubilate of a happy people went up ceaselessly. To be an *American* was an honor above titles of nobility or stars of an Emperor's approbation.

Circumstances, potent enough to change all this—to dis sever the bonds of union among the States—to repudiate a Constitution which embodied so much wisdom, and liberty, and happiness—to arrest the progress and paralyze the energy of the country—to banish peace, and sound the alarums of war throughout the land—to marshal twice five hundred thousand Americans on the field in fratricidal strife, might well excite astonishment in the dullest brain, and alarm the friends of liberal ideas throughout the world.

Never, since the revolt of Lucifer, has there been a more causeless rebellion against a justly-constituted and beneficent Government. Never has civilization known a more reckless abuse of its prerogatives to demoralize and cripple its own development. In the height of its prosperity, the "Great Democratic Experiment" is arrested by a mere faction of unscrupulous men, through whose efforts, aided by the weakness of a Chief Magistrate, the country is humiliated in its pride, abased in its glory, and made to feel a weight of woe which it will take generations to forget.

The circumstances of this gigantic conspiracy it will not take generations to fathom. Great revolutions, like those recorded of Europe during the fifteenth, and sixteenth, and seventeenth centuries, had their origin in causes so remote, and their results were so ramified to society and Governments, that, even to this day, their story is not wholly told. But, in the American Pro-Slavery Rebellion, there are no long trains of circumstances, no widely diffused and deeply-seated causes of discontent, growing and developing through a series of years, until the final open resort to arms. Were it thus, its History could not now be written. It sprung up almost in a day, *against* the wishes, the demands, the hopes, of those

whom it most concerned. It was the scheme of a few daring leaders, and of a few led men blinded by their own passions, having for their Cause no foundation in truth, no defence, in law or equity, no justification, even if the ends proposed and promised had been attained. It came of the restless souls of restless spirits, and has no long-past history to be investigated in order to write the story of its drama correctly. The proceedings of the second session of the XXXVIth Congress contain all the legal facts necessary to form, at this moment, a perfectly just opinion and estimate of the entire revolution.

It is only required to reproduce the official records of the events of the winter of 1860-61, in order to place the reader in possession of means by which to arrive at correct conclusions regarding men and their acts. To lay the repository of facts before the people is the prime object of our present work. But, as the entire structure of the Republic has been on trial, in the ordeal forced, we have, in defence of the Union, and of the policy pursued to sustain it, sought to cover the entire ground of the questions involved, viz.: the powers of the Constitution, the nature of the Federal consolidation, the powers of Congress, the relations of Slavery to the Government, the rights of the majority and the minority, the status of the States, &c., &c. In considering these varied and interesting questions, we have necessarily reproduced much of our past political history, have given the opinions of the fathers of the Constitution on that instrument, have adverted to such collateral and corresponding circumstances as would serve to throw light upon the whole subject.

We have sought to render our work, in spirit and in truth, such a narrative as the great events seemed to demand. The office of the historian is to record events as they are, not to become the counsel of one party in a controversy and seek to write down an opponent. Still, the historian must assume, to a great degree, the office of arbiter and judge. The great case has been laid before him; he has studied it in all its lights and shades; he has heard the arguments of able counsel and listened to the evidence of innumerable witnesses; and it remains for him, as a disinterested umpire, to give such a summary of facts, events, and opinions as will enable his jury, the public, to arrive at a correct verdict. Being a Northern man in feeling, and a Unionist in sentiment, our work, of course, will assume the stand-point of loyalty to the Federal Government as a *sine quâ non* for its praise, and the contrary for its blame; but we desire and expect that the present and the future will submit all to the crucible of truth. If, in statements of opinion or dictums of judgment we shall err by too great devotion to our feeling of loyalty, we only challenge a successful contradiction, and will thus succeed in eliminating the truth. Truth should know no reserve; the historian who fears its revelations is unworthy to write for his countrymen to read.

THE
SOUTHERN REBELLION
AND THE
WAR FOR THE UNION.

PRELIMINARY CHAPTER.

HISTORY OF FORMER CONSPIRACIES.

IF, as Mr. Alexander H. Stephens asserts, our government is "one of the most beneficent the world has ever known," it has not escaped the fortunes incident to all governments—of fierce opposition and attempted revolutions. The Constitution of the Union was not adopted without extraordinary manifestations of opposition in the Convention, in Congress, in State Legislatures, and among the people. It was regarded in the various lights of "an experiment," a "consolidated tyranny," a "centralization fatal to State independence," &c. Washington said of the instrument: "There are some things in it which never did and never will obtain my cordial approbation." Patrick Henry denounced it as inimical to the liberties of the people. Franklin said, in the Convention: "I consent to this Constitution because I expect no better." The attempt to construct a consolidated government out of States, diverse in interests, each jealous of its sovereignty, *was* "an experiment;" and Washington's expression of surprise, that any arrangement had been made, was justified by the result eventually achieved in the adoption of the Federal compact. He said: "It appears to me little short of a miracle that the delegates from so many States, different from each other in their manners, circumstances and prejudices, should unite in forming a system of national government so little liable to well-founded objections;" uttering, however, in the same paragraph, his own qualified acceptance of the instrument:—"Nor am I yet such an enthusiastic, partial or indiscriminat-

ing admirer of it as not to perceive it is tinctured with some real, though not radical, defects."

Pending discussion of the merits and demerits of the new Constitution, two great parties sprang into full and spirited life, viz.: the "Federalists," sustained by Washington, and led by John Adams and Hamilton; and the "anti-Federalists," who afterwards assumed the more distinctive appellation of "Democrats," under the leadership of Thomas Jefferson, Aaron Burr, and others. The differences between those two parties were those of quality rather than of kind. Both wanted a Republican form of government; both favored a Union; both had in view the best mode of developing the vast resources of the country; both sought to guard the interests of the people; and it was the intense patriotism of both parties which rendered them such bitter partisans. Each sought to prove the other an enemy to good government; and, failing to reconcile their respective ideas, they became as irreconcilable in their animosities as the Whigs and Tories of the Revolution.

It is not, therefore, a matter of surprise that a government, ordained under such discordant circumstances, should have retained some of its elements of discord, nor that each generation should witness violent opposition, if not actual resistance, to the Constitution and the Laws, both by individuals and by States. It is to be doubted, indeed, if the Federal Government would have succeeded as a go-

vernment had it not been for the necessity of enforcing its authority, thus *proving* its powers and strength. The vigilance and bitterness of parties made their supporters ever watchful to reap advantages from the errors and weaknesses of their antagonists; hence, the administrators of the laws were sedulously careful to execute their trusts with fidelity and wisdom, even though the motive might be the selfish one of maintaining a political supremacy. An apathy or indifference toward the government would have proved its ruin, and have paved the way for a Monarchy, or for a series of State independencies alike fatal to their political and moral prosperity. Party spirit, political rancors, public antipathies, unpleasant as they are to contemplate singly, are, nevertheless, the great regulators of the law, and, as such, are actually desirable. Washington said of party spirit: "It is a fire not to be quenched; it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume." That "uniform vigilance" is the price of our liberties; so long as it is exercised by our public administrators, and by the people, we are safe—when it is abated, our liberties and government are in danger.

Opposition to the Government generally has resulted in nothing more than a war of words, with the ballot-box for umpire. Actual resistance to the arm of the law, so as to require force in its suppression, has been comparatively unfrequent; yet, such instances are numerous enough to prove not only that we have a Government capable of sustaining itself, but, also, that the peculiar freedom guaranteed to all may engender combinations inimical to law and order. Such we may name:

THE WHISKEY INSURRECTION, 1791-4.

THE ALIEN AND SEDITION EMEUTE, 1798.

AARON BERR'S CONSPIRACY, 1806-7.

THE HARTFORD CONVENTION CONSPIRACY, 1814.

THE MISSOURI COMPROMISE AGITATION, 1820-22.

THE INDIAN REBELLION IN GEORGIA, 1825.

THE SOUTH CAROLINA NULLIFICATION REBELLION, 1831-2.

DORR'S RHODE ISLAND REBELLION, 1842.

THE KANSAS-NEBRASKA IMBROGLIO, 1854-58.

THE UTAH TROUBLES, 1858-59.

THE SECESSION REVOLUTION, 1860-61.

Several uprisings, or rebellions, occurred prior to the adoption of the Constitution,

which were suppressed by force; but they sprung out of disorders consequent upon a want of law rather than of defiance to it. We name above the Missouri Compromise troubles of 1820. Though not of the nature of a rebellion they still threatened the perpetuity of the Government, and merit a prominent place in any political history of the country. That agitation was the parent of those which followed, wherein the questions of Free and Slave territory were paramount; and the hydra then appeased by "compromise" became the dragon of secession and revolution in 1860.

THE WHISKEY INSURRECTION, 1791-4.

Upon the assumption, by the Federal Government, of the debts incurred by the States in the War for Independence, it became necessary to provide for the interest, and gradual liquidation of the principal, of that debt-making \$826,000 to be added to the annual tax list in support of the Federal Government. This sum, Alexander Hamilton, then Secretary of the Treasury, proposed to raise by an "excise" tax on distilleries, and by additional duties on imported liquors. In confirmation of the Treasurer's recommendation, the Congress of 1791-92 enacted laws imposing upon all imported spirits a duty varying from twenty to forty cents a gallon. The excise to be collected on domestic spirits varied, with their strength, from nine to twenty-five cents per gallon on those distilled from grain, and from eleven to thirty cents when the material was molasses or other imported product, thus allowing a considerable discrimination in favor of the exclusively home product. For the collection of these duties each State was made an inspection district, with its supervisor, and each district was subdivided into surveys of inspection, each with its inspector. All distillers were required to enter their distilleries at the nearest office of inspection, with a complete description of all the buildings, which buildings were to be subject to the constant examination of an inspector appointed for that purpose, who was to gauge and brand the casks, the duties to be paid before the removal of the spirits from the distillery. But, to save the expense and trouble

to both parties of this constant oversight, the small country stills not situated in any town or village, were to pay an annual rate of sixty cents per gallon on the capacity of the still. All casks containing spirits not properly branded and certified were liable to forfeiture.

Pennsylvania at that time manufactured great quantities of whiskey. Indeed, it was manufactured liberally by all the States, and became so common as a beverage as to be regarded one of the actual necessities of life. Its tax, and consequent enhancement of cost to the consumer, created as much feeling as if flour and bacon were to become agents in replenishing an exhausted treasury. But, in Pennsylvania, west of the Alleghany mountains, the excitement soon assumed the tone of a menace. In that particular section the chief grain grown was rye, which, in the shape of whiskey, could be transported to the East and be exchanged for every needed commodity. Whiskey thus became a kind of currency. To tax it was regarded as an arbitrary assumption which it was as just and necessary to repudiate as to resist the tea and stamp tax imposed by the British Parliament.

This feeling became so general that, in the four western counties of the State named, combinations were entered into by the distillers and the people to resist, by force, the collection of the tax. The first step was to warn away the collectors; next, to forbid the inspectors from entering any distillery, public or private.* Indignities were, consequently, freely visited upon the "minions of the law." Johnson, collector for Alleghany, was seized, shaved, tarred and feathered, and driven outside of his district. An inspector named Wilson, who had resolved to do his duty, was seized in his own house one night, by men in disguise, borne to a blacksmith shop, branded on both cheeks by a red hot iron, coated with tar and feathers, and ordered to leave the county. The terror inspired by these and other outrages, caused much alarm throughout the entire country. In its friends of the

government saw the seeds of a powerful insurrection. But, the law must be sustained and the resisters punished; otherwise all law would be at an end, and any armed mob might defy the acts of Congress.

A modification of the law was made, by the exertions of the timid, who thought it better to *compromise* matters than to resort to force. It was in vain; and Western Pennsylvania successfully resisted the collection of the tax, up to July, 1794. Government then saw the necessity of enforcing the law and of arraigning the malcontents, or else of confessing its weakness to meet rebellion. Thirty warrants were placed in the hands of the United States Marshal, against offending distillers. All save one were successfully served, by the aid of a posse of armed men, under the guidance of the District Inspector, Gen. Neville. This one met the posse by an armed resistance. His men fired upon the officers and compelled them to fly for their lives. Neville secured a squad of troops to guard his house, but it was attacked and burned down—the General escaping down the river to Marietta, then crossing over the country to Philadelphia, to make known the true state of affairs to the President.

This success gave the insurrectionists a clear field. They proceeded to extremes in their violence against all who upheld the law. The mail was robbed and letters were read to obtain evidence of complicity with government, on the part of citizens. The insurgents summoned the militia, and seven thousand men answered the call. Col. Cook, one of the Judges of Fayette County, was made President of this "assembly of citizens," and Albert Gallatin (afterwards one of the most eminent men in the country) was chosen Secretary. Gallatin prepared an address which embodied the sentiments of the "still loyal people" who were in arms to "resist a lawless invasion of their rights." A major-general was elected, who proceeded at once to drill the troops and to prepare for further operations.

Washington, now thoroughly convinced, that further temporising with the wrong was inexcusable, issued his proclamation requiring the insurgents to disperse, and those opposing the laws to desist. This effected nothing,

* It is estimated that, in Pennsylvania alone, there were five thousand distilleries, great and small! Great numbers of farmers manufactured their grain into spirits and wagoned it over the mountains to exchange for supplies.

when he issued a second, calling upon the States of Virginia, Maryland, New Jersey, and Pennsylvania for 13,000 troops to suppress the rebellion.* This was the beginning of the end. The insurgents, apparently appalled by the President's well understood purpose to arrest and hang every man found in arms, called a Convention at Parkinson's Ferry, and there adopted resolutions of entire submission. The troops proceeded to the seat of trouble, under command of Gov. Lee, of Virginia, when the excise officers entered, with but occasional signs of opposition, upon their duties. Lee proclaims an amnesty, and the matter ended by Pennsylvania whiskey contributing essentially to enhance the revenues of the country.

THE ALIEN AND SEDITION EMEUTE, 1798.

During the administration of John Adams the country was visibly affected by the French Revolution, whose terrible tragedy was then being enacted. It created, in America, a strong party, in sympathy with the revolutionists, notwithstanding the French Directory had, with reckless impudence, preyed upon our commerce, insulted our foreign agents, and refused liquidation for authenticated claims. Jefferson was, from his long residence in France, and his strong sympathy with the ultra-democratic idea, the virtual leader of the sympathisers in this country. Running for the Presidency he was beaten by Adams. This was construed by the French as a non-recognition, by this country, of their new government; they therefore rather in-

tensified their lawless course towards our commerce and ministers. Their organ, the *Aurora*, of Philadelphia, and its "anti-Federal" echoes throughout the country, became excessively insolent toward the "Federalists," going so far in their malignant endeavors to excite the country against the party, as to heap lampoons even upon Washington's head. The French Directory refused to receive our minister, Mr. Pinckney, and left no means untried for mortifying our representatives and for crippling our energies at home and abroad.

Adams and the Federalists wished, from the first, to preserve a neutrality in regard to the wars in Europe; but, the violence of the French sympathisers here, and the continued persecutions of our commerce by the French, left no alternative, apparently, but to resent not only French indignities, but also to place the large number of foreign malcontents, seeking by their immeasurable libels to stir up sedition, under the restraints of law.

Acting under the impulses of the prevailing excitement against this revolutionary foreign element, the question was raised whether the safety of the country did not demand that such foreign residents in the United States as were known to give aid to external enemies should not be banished; while, to protect the President, Congress, and public officers from the atrocious falsehoods and libels put forth day by day, it was proposed to pass a Sedition law which should meet the case. The question was finally met in Congress by the passage of three acts.

The first was an amendment to the naturalization act, extending the previous residence to fourteen years, and requiring five years previous declaration of intention to become a citizen. A register was also kept of all aliens resident in the country.

A second act, limited to two years, gave the President authority to order out of the country all such aliens as he might deem dangerous to the peace and safety of the United States.

By a third act, in case of declaration of war all natives or citizens of the hostile nation were liable to be apprehended or removed.

These acts produced extreme excitement. The second, familiarly called the Alien Act, was strenuously opposed in the House, and

* It was not until February 28th, 1795, that Congress passed the act to empower the President to call out troops in certain emergencies, under which law Mr. Lincoln acted in 1861. Washington really exceeded his authority; but, Congress not being in session for the moment, he was compelled to act and look to the people and to Congress for his justification. Congress justified him by the passage of the act referred to, which was then designed to meet all such cases of danger occurring during the adjournment of the Legislative Body. Mr. Lincoln, in availing himself of that act, did not exceed its powers in calling 75,000 men "to suppress said combinations and to cause the laws to be duly respected."

only passed by a vote of 46 to 40. Neither this act nor the third, however, were enforced, it being left to the discretion of the President to do so or not. They served, nevertheless, the good effect of starting from our shores three ships'loads of Frenchmen, whose presence in America had given great offence. Among the number was Volney, the revolutionist and infidel.

June 26th, 1798, Mr. Lloyd, of Maryland, introduced the Sedition law to Congress. After various amendments and much opposition, it passed. It provided: First, that it is a high misdemeanor, punishable by fine, not exceeding five thousand dollars, for any persons to conspire against the government of the United States to impede the operation of the law, or to commit, advise or attempt to procure any insurrection, riot, unlawful assembly or combination. The second section subjected to a fine, not exceeding two thousand dollars, the publishing of any false, scandalous or malicious writings against the government of the United States, or either house of Congress, or the President, with intent to defame them or bring them in disrepute, or to excite against them the hatred of the people of the United States, or to stir up sedition, or to excite any unlawful combination for opposing any law of the United States, or to encourage any hostile designs of any foreign nation against the United States. The act was to continue in force until June 25th, 1800.

These acts called forth the most determined opposition from the "anti-Federalists," who regarded them as unconstitutional and highly offensive. As the Alien law was not enforced, and as the Sedition law terminated by limitation in less than two years, it is evident that it was not the laws themselves which offended so much, as the principle involved. They gave occasion, therefore, for Jefferson's celebrated "Resolutions of '98," introduced by George Nicholas, into the Kentucky Legislature. The original draft of these resolutions, in Jefferson's own hand-writing, is yet preserved. As introduced by Nicholas, however, some of its more objectionable sections were modified.

The original draft began with a resolution that the Federal Government is a compact between the States, as States, by which is

created a general government for special purposes, each State reserving to itself the residuary mass of power and right, and that, as in other cases of compact between parties, having no common judge, each party has an equal right to judge for itself, as well as of infractions as of the mode and measure of redress. Then followed five resolutions, practically applying to the acts of the last Congress—this alleged right of the States to judge of infractions and their remedy, not merely as a matter of opinion, but officially and constitutionally as parties to the compact, and as the foundation of important legislation. These three acts were severally to punish counterfeits of bills of the United States Bank, the Sedition Law and the Alien Law—all of which, for various reasons assigned, were successively pronounced "not law, but altogether void and of no force." The Senators and members of Kentucky were directed to lay these resolutions before the two Houses of Congress, and the Governor was also instructed to transmit the resolutions to the legislatures of the several States, to whom an earnest appeal was made for a concurrence with Kentucky in requesting the repeal of the obnoxious laws, and declaring them void and of no force. This was the shape in which, with only two or three dissenting votes, the resolutions passed the Kentucky Legislature on the 14th of November, 1798.

The same sentiments were embodied in resolutions introduced by Madison to the Virginia Legislature, Dec. 24th, 1798. A month later they were sent out to the several States accompanied by an address.

All however ended here. *None* of the States responded favorably to the resolutions; but, on the contrary, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire and Vermont disavowed the doctrine set up of a right in the State Legislatures to decide upon the validity of acts of Congress. The reply of Massachusetts likewise maintained the constitutionality of the Alien and Sedition laws as being justified by the exigency of the moment, and the power of Congress to provide for the common defence.

Mr. Everett says:—"But the resolutions did their work—all they were intended or

expected to do—by shaking the administration. At the ensuing election, Mr. Jefferson, at whose instance the entire movement was made, was chosen President by a very small majority; Mr. Madison was placed at the head of his administration as Secretary of State; the obnoxious laws expired by their own limitation; and Mr. Jefferson proceeded to administer the Government upon constitutional principles quite as lax, to say the least, as those of his predecessors."

These resolutions we have referred to at seemingly unnecessary length; but, as they contain the germ of all the ideas since advanced of the right of a State to interpret—to adopt or nullify—the laws of Congress, they deserve especial attention. They were simply acted upon and repeated by the traitorous Hartford Convention—were simply reproduced by South Carolina in her Nullification Ordinance of 1832, and put in practice by the revolutionists of 1860, as will be shown.

THE CONSPIRACY OF AARON BURR, 1806-7.

Aaron Burr came within one vote of being the Democratic President of the United States. His competitor, Jefferson, finally obtained the casting vote of Mr. Bayard, Federalist, of Delaware. He thereupon became President, and Burr Vice-President. The history of that seven days balloting is one of the most remarkable episodes in that day of intrigues, of plots and counterplots. It shows Burr to have been a subtle, unscrupulous and perfectly immobile man—one well fitted for "stratagems, treasons and spoils." Burr served the one term with ability, plotting a stroke for the Presidency. But, the Democracy found reason to distrust him, and named George Clinton, of New York, as their candidate for Vice-President—Mr. Jefferson standing for his second term as Chief-Magistrate. Burr, not to be thwarted, and hoping to heap confusion upon his opponents, avowed himself an independent candidate for the Gubernational chair of New York, and would have defeated opposition had he not been so thoroughly distrusted. Alexander Hamilton cast his great influence against the intriguer—prefer-

ing that the Federalists should pass from power rather than contribute one vote to the election of a person as base as Burr. That opposition defeated the ambitious aspirant, and Hamilton paid the penalty of his life for the part he had acted. Burr challenged him to mortal combat, and, by avoiding every possibility of a settlement, forced the unwilling Hamilton to place his body as a target for the unerring weapon of his implacable adversary. They met July 11th, 1804. Burr took most deliberate aim and shot his antagonist. Hamilton did not fire at all, as he proposed, though his pistol exploded from the convulsive motion of his finger on the trigger when Burr's ball struck his bosom. Burr fled, and the execrations of a nation followed him. He sought a brief residence, "until the storm should pass over," in the Southern States, where, a successful duelist ever has a passport to public and private favor. From thence he journeyed back to Washington to preside over the Senate. In Virginia he had a most enthusiastic public reception. At the same time two warrants were out for his arrest as a murderer, one in New York and one in New Jersey. At Washington he was received, Parton* says, with more deference than usual. The President, he says, even gave one or two appointments to his (Burr's) friends—one, General Wilkinson, being made Governor of the Territory of Louisiana. He sought to make good use of this appointment afterward, but eventually found a betrayer in him whom he had sought to promote.

The summer of 1805 Burr spent in the West and South, in quest of a new home where his energies might find full play. If he had conceived any definite plan of revolution, at that time, it is not known. The summer was passed merely in observation and visiting, from Pittsburg all along the river down to New Orleans, making two visits to Nashville, Tenn. At all places he was the welcomed guest of leading men, and, profiting by their knowledge and influence, gained such information as he desired in regard

* See Parton's Life of Burr, chapter XVI. Also, Randall's Life of Jefferson, Vol. II. Chap. IX.

to the resources and population of the country as well as of the feeling of the people toward the Union and toward Spain, then still in possession of the country lying west of the Mississippi. During the fall of 1805 he returned to Washington, and was well received, being dined by Mr. Jefferson. He spent the winter in Washington and Philadelphia; but, what he was doing is not fully known further than what was afterwards betrayed by Gen. Eaton, then recently returned from the Mediterranean. To him he divulged the fact of his contemplated expedition against Mexico, and thus secured a promise of his co-operation. He also developed a project for revolutionizing the Western country, establishing a monarchy, organizing a force of ten or twelve thousand volunteers, and, finally, securing the co-operation of the marine corps at Washington and gaining over Truxton, Preble, Decatur and others; he then intended to turn Congress out of doors, assassinate the President, seize upon the Treasury and Navy, and declare himself the Protector of an energetic government. It is to be doubted, however, if these really were well concerted plans of Burr. He doubtless adverted to them as what might and ought to be. They prove, at most, that the fertile brain of the conspirator was meditating some grand enterprise, worthy even of his master skill. Eaton, it is said, was satisfied that his friend was a dangerous man. He accordingly waited upon the President, and made a partial revelation of the facts, suggesting the propriety of appointing Burr to some foreign mission to "keep him out of mischief."

In 1806 Burr again went West, making his headquarters at Blannerhassett's Island, in the Ohio River, a few miles below Marietta. The owner of the island, a reckless and rather shiftless Irishman, had become a partner in the "enterprise" to the extent of embarking his entire fortune—in what? He confesses he did not know, only that, by floating down the Mississippi, he was to float into prosperity, and Lady Blannerhassett was to become more than a lady. It was proven, on their trial in Richmond, that the too-credulous Irishman never knew that he had committed or was to commit treason against the Government of the United States.

During the entire summer of 1806 the West teemed with reports of Burr's designs upon the South; but, notwithstanding many men were in his service as soldiers and assistants, and that boats lay at Marietta loaded with provisions and *military* stores, none knew aught of the destination of the expedition—not even the men embarked in it! Gen. Wilkinson alone appeared to be in the secret. With him Burr was in constant correspondence, in cypher; but Wilkinson, in his labored defence against the charges of complicity with Burr, denied any knowledge of his real designs until at a late period, when he immediately divulged them, and aided Government, by his duplicity and his fears, to arrest the adventurer.

In the fall of 1806 the "Monarch of an undefined realm" was arrested in Kentucky, by order of government; and, through the vigilance of that remarkable man, Col. Joe Daviess, was brought to trial. Henry Clay acted for the defence, upon the solemn assurance of Burr that he meditated no enterprise or act contrary to the laws and the peace of the land. By hastening the trial ere important witnesses could be produced, Burr was acquitted. Joe Daviess opposed the tide of public sentiment in prosecuting Burr, but his sagacity was not to be deceived—he read in the adventurer's very eyes his subtle and dangerous nature; and, though he failed to convict, and injured his own personal popularity greatly by the determined character of the prosecution—persecution it was called by Clay—he had the satisfaction of seeing all his prophecies, regarding the man, fully verified.

After acquittal, Burr hastened from Frankfort to the Ohio river, and passed down stream with his flats and companions-in-adventure—among whom were Blannerhassett and his wife. But a few days after his departure Jefferson's proclamation, denouncing the expedition, was received at Frankfort—much to Clay's mortification and Daviess' regret. The boats still at Marietta were seized, and Blannerhassett's island was occupied by United States militia; but Burr had escaped down the Mississippi.

In January, 1807, the flotilla of Burr arrived at Bayou Pierre, on the Lower Missis-

issippi. He was there seized by the Governor of Mississippi, but managed shortly after to effect his escape. A reward of two thousand dollars was offered for his apprehension, and many arrests were made of his supposed accomplices. The narrative of his arrest is as follows:—"About the 1st of Feb., late at night, a man in the garb of a boatman, with a single companion, arrived at the door of a small log-cabin in the backwoods of Alabama. Col. Nicholas Perkins, who was present, observed by the light of the fire that the stranger, though coarsely dressed, possessed a countenance of unusual intelligence, and an eye of sparkling brilliancy. The tidy boot, which his vanity could not surrender with his other articles of finer clothing, attracted Perkins' attention, and led him truly to conclude that the mysterious stranger was none other than the famous Colonel Burr. That night Perkins started for Fort Stoddart, on the Tombigbee, and communicated his suspicions to the late General Edmund P. Gaines, then the lieutenant in command. The next day Gaines, with a file of soldiers, started in pursuit of Burr and arrested him on his journey. Burr attempted to intimidate his captor; but the young officer was resolute, and told him he must accompany him to his quarters, where he would be treated with all the respect due the ex-Vice-President of the United States. In about three weeks Burr was sent to Richmond, Va., under a special guard selected by Colonel Perkins, upon whom he could depend in any emergency. Perkins knew the fascinations of Burr, and fearing his familiarity with the men—indeed, fearing the same influences upon himself—he obtained from them the most solemn pledges that they would hold no interviews with the prisoner, nor suffer him to escape alive.

"In their journey through Alabama they always slept in the woods, and, after a hastily prepared breakfast it was their custom to remount and march on in gloomy silence. Burr was a splendid rider, and in his rough garb he bestrode his horse as elegantly, and his large dark eyes flashed as brightly, as if he were at the head of his New York Regiment."

After a number of interesting adventures Perkins and his prisoner reached Richmond,

where he was soon after tried for treason and misdemeanor, the trial commencing May 22d, 1807. This trial was one of the most remarkable which ever transpired on this continent. Chief Justice Marshall, "the Washington of the bench," presided over the court. The legal talent engaged embraced such names as those of Wirt, for the prosecution, and Luther Martin and Edmund Randolph, for the defence. Fourteen days were spent in getting a jury. Nine days were exhausted in arguments on the inadmissibility of *indirect* evidence, in which Burr's astonishing tact was too much for his opponents. The trial for treason ended August 29th. The Chief Justice charged the jury September 1st, and, in a few moments, the verdict came in, in irregular and equivocal shape, *not guilty*.

The trial for misdemeanor then proceeded, and ended, in October, by acquittal, on the ground that the offense was committed in Ohio—therefore, that Virginia had no jurisdiction.

Thus released, Burr fled—none knew whither, except his few friends. Liable to be carried to Ohio for further trial—to be tried in New York and New Jersey for murder—he could only escape by secretly leaving the country. All the winter of 1807–8 he was kept secure from discovery, and, in June, 1808, passed over to England as G. H. Edwards.

THE HARTFORD CONVENTION CONSPIRACY, 1814.

The Embargo act of 1809 gave intense dissatisfaction in Massachusetts. At that time that State had a heavy interest at sea, and the embargo affected her commerce disastrously. Many leading loyal men of the State pronounced the act to be unconstitutional. A large meeting in Boston declared the act arbitrary and unconstitutional, and that all who assisted in carrying out the law should be regarded as enemies of the State and as hostile to the liberties of the people. To aggravate the evil feeling there appeared, in the New England States, one John Henry, whose mission, it eventually became apparent, was to foment

the excitement into open rupture against the Federal Government. Madison, in his special message to Congress, said of him:—"He has been employed as a secret agent of the British government in the New England States in intrigues with the disaffected, for the purpose of bringing about resistance to the laws, and eventually, in concert with a British force, of destroying the Union and forming the eastern part thereof into a political connection with Great Britain." He was in correspondence with parties in Canada, and was known to maintain intimate relations with some of the leading malcontents in Boston and other New England cities. He intrigued and plotted beyond the power of Government to arrest "a subject of the British crown."

The declaration of war against Great Britain, June 18th, 1812, brought the excitement to its climax. A "Peace Party" was formed in New England, pledged to offer all possible opposition to the war. Taxes to support State levies of militia were not readily assessed nor easily collected. The New England States were so backward in sending their quotas and supplies to the field that, for much of the time, the army on the Northern frontier was in a powerless condition. The United States treasury was in a distressed condition. The banks throughout the country, except those of New England, had suspended specie payment. Everything betokened a weak government, and a want of confidence and harmony among the States.

A late writer says:—"During the year 1814 the situation of the New England States was in the highest degree critical and dangerous. The services of the militia for two years had been extremely severe, and the United States had been compelled to withhold all supplies for their sustenance, and throw upon the States the burden of supporting the troops which defended their coast from invasion and their towns from pillage. Congress gave the command of this militia to the officers of the regular army. To this the Governors of Massachusetts and Connecticut refused to submit, and the authorities of the latter State passed a law for raising a provisional army of 2,000 men for 'special State defence,' of which one of her own citizens was made the commander. The course of Massachusetts in other respects

was not less hostile to the general government. Her Legislature refused to Captain Lawrence, afterwards of the ill-fated Chesapeake, a vote of thanks for his capture of the Peacock, believing, in the language of the resolution, "that in a war like the present, waged without justifiable cause, and prosecuted in a manner indicating that conquest and ambition were its real motives, it was not becoming a moral and religious people to express any approbation of military and naval exploits not directly connected with the defence of our seacoast and soil." At the same time the people of the New England States began to cry out for 'a separate peace.' The Vermont militia were withdrawn from the field, and on a proposition being made in Congress to prosecute the Governor for this act, Harrison Gray Otis laid on the table of the Massachusetts Senate a resolution, expressive of the duty of his State to aid with her whole power the Governor of Vermont in support of her constitutional rights, by whomsoever infringed." The spirit of opposition went so far in Connecticut that the enemy's vessels, which lay off the harbor of New London to intercept Decatur's frigates, were advised by blue lights on the hills, of the movements of the American ships. This incident gave rise to the expression—"Blue-light Federalists," which became a term of opprobrium for the opponents of the war.

The State Legislatures of Massachusetts, Connecticut, Vermont, &c., passed laws forbidding the use of their jails by the United States for the confinement of prisoners, committed by any other than judicial authority, and directing the jailors at the end of thirty days to discharge all British officers, prisoners of war, committed to them. The President, however, applied to other States of the Confederacy for the use of their prisons, and thus the difficulty was in a measure obviated.

This opposition of course met with the sharpest recrimination from the Central and Southern States of the Union, which, generally, supported the war policy of the Government. Anathema and invective were freely bestowed upon the "Yankees," and, as a natural result, the friendly feeling of the New Englanders did not wax warmer toward their confederates. Action, long threatened, final-

ly came. The Massachusetts Legislature, by report of a joint committee on the question of calling a Convention of the States, urged a conference as "expedient to lay the foundation of a radical reform in the national compact, and devise some mode of defence suitable to those States, the affinity of whose interests are closest, and whose habits of intercourse are most frequent." This report was adopted by a vote of three to one, though it was protested against by a powerful minority, who declared it a step toward a dissolution of the Union, and therefore treason.

On the 18th of October twelve delegates were elected to confer with delegates from the other New England States. Seven delegates were also appointed by Connecticut and four by Rhode Island. New Hampshire was represented by two and Vermont by one. The Convention met at Hartford, Connecticut, on the 15th of December, 1814. After a session of twenty days a report was adopted, which, with but slight stretch of imagination, we may suppose to have originated from a kind of *en rapport* association with the South Carolina Convention of 1861. We may quote from the Report :

"To prescribe patience and firmness to those who are already exhausted by distress is sometimes to drive them to despair, and the progress towards reform by the regular road is irksome to those whose imaginations discern and whose feelings prompt to a shorter course. But when abuses, reduced to a system, and accumulated through a course of years have pervaded every department of government, and spread corruption through every region of the state ; when these are clothed with the forms of law, and enforced by an Executive whose will is their source, no summary means of relief can be applied without recourse to direct and open resistance. It is a truth not to be concealed that a time for a change is at hand. * * * A reformation of public opinion, resulting from dear bought experience in the Southern Atlantic states at least, is not to be despaired of. They will have seen that the great and essential interests of the people are common to the South and to the East. They will realize the fatal errors of a system which seeks revenge for commercial injuries in the sacrifice of commerce, and aggravates by needless wars the injuries it professes to redress. Indications of this desirable revolution of opinion among our brethren in those states are already manifested. Finally, if the Union be destined to dissolution by reason of the multiplied abuses of

bad administrations, it should be, if possible, the work of peaceable times and deliberate consent. Some new form of confederacy should be substituted among those states which shall intend to maintain a federal relation to each other. Events may prove that the causes of our calamities are deep and permanent. They may be found to proceed not merely from the blindness or prejudice, pride of opinion, violence of party spirit, or the confusion of the times ; but they may be traced to implacable combinations of individuals or of states to monopolise power and office, and to trample without remorse upon the rights and interests of commercial sections of the Union. Whenever it shall appear that the causes are radical and permanent, a separation by equitable arrangement will be preferable to an alliance by constraint among nominal friends, but real enemies, inflamed by mutual hatred and jealousy, and inviting, by intestine divisions, contempt and aggression from abroad,—but a severance of the Union by one or more states against the will of the rest, and especially in time of war, can be justified only by absolute necessity."

The Report then proceeds to consider the several subjects of complaint, the principal of which is the national authority over the militia, claimed by government.

Continuing, it says : "In this whole series of devices and measures for raising men, this Convention discerns a total disregard for the Constitution, and a disposition to violate its provisions, demanding from the individual States a firm and decided opposition. An iron despotism can impose no harder service upon the citizen than to force him from his home and his occupation to wage offensive war undertaken to gratify the pride or passions of his master. * * *In cases of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a State and the liberties of the people, it is not only the right, but the duty of such State to interpose its authority for the protection in the manner best calculated to secure that end. When emergencies occur which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, States which have no common umpire must be their own judges and execute their own decisions.*" *

* This sentiment, here italicised, is that of State supremacy in its unadulterated form—such supremacy as really renders the hold of the Constitution and the power of Congress over the States that of a mere contract, to be dissolved at will. But, nullifying and disintegrating as it was, Mr. Jefferson himself set the precedent. In his Kentucky resolutions, before referred to, he began with a resolution that the Federal Constitution is a *compact between States as States*, by which is created a General Government

The Convention adjourned January 5th, 1815, and, so doubtful was it of the propriety of its acts, that the resolutions adopted were not made public until two weeks after adjournment. These resolutions were, in brief, as follows:—

The first recommended the Legislatures of the States represented to protect the citizens of the several States from the operation of acts passed by Congress, subjecting them to forcible drafts, conscriptions or impressments, not authorized by the Constitution.

The second recommended that the States be empowered to defend themselves, and that they have for their own use their proportion of the taxes collected.

The third recommended each State to defend itself.

The fourth recommended amendments to the Constitution as follows:—

Apportionment of representation and taxation the basis of white population.

New States to be admitted by a vote of two-thirds of both houses of Congress.

Congress shall have no power to lay an embargo of more than sixty days duration.

for special purposes—each State reserving for itself the residuary mass of power and right; and “that, as in other cases of compact between parties having no common judge, each party has an equal right to judge for itself, as well of infractions as OF THE MODE AND MEASURE OF REDRESS.” Perhaps the special pleader may be able to discover that this assumption, by Mr. Jefferson, is *not* that of the Hartford Convention; but, to the mass of readers, who take words in their accredited signification, the Hartford resolves will seem but Mr. Jefferson’s reproduced. If any lingering doubt exists as to the extent of Mr. Jefferson’s nullification sentiments, they will be dissipated by the eighth resolution, which expressly and directly declares that (*the States themselves being the sole judges*) where Congress assumes powers not delegated by the people, “a nullification of the act is the right remedy; and that every State has a natural right, in cases not within the compact, to nullify, of their own authority, all assumptions of power by others within their limits.” We are at a loss, in view of this express declaration, and that which immediately follows it in the same resolutions, to discover upon what authority Mr. Everett [See his address, July 4th, 1861] denies the nullification sentiment as Mr. Jefferson’s own. The “theoretic generalities” read so much like Hartford Convention and South Carolina Convention *specialities*, that ordinary perceptive faculties will not discover their differences.

Congress shall not have power to interdict foreign trade without a vote of two-thirds of both houses.

Congress shall not make war by a less vote than two-thirds of both branches, unless in defence of territory actually invaded.

No naturalized citizen to be eligible to any civil office under the United States.

No President to be elected twice, or for two terms, nor to be chosen from the same State twice in succession.

The report concluded with the recommendation that if the foregoing resolutions should be unsuccessful when submitted to the general government through the respective States, if peace should not be concluded, and the defence of the New England States be neglected, as it had been, it would be expedient for the Legislatures of the several States to appoint delegates to another Convention to meet at Boston, “with such powers and instructions as the exigency of a crisis so momentous may require.”

The sessions of the Convention, like those of similar conventions held in the seceded States at a later day, were secret. The people of Hartford, justly indignant at the presence of a “body of disorganisers” in their midst, expressed their loyalty to the government in various ways. The resolutions brought forth a burst of indignation from all quarters of the Union. The good sense of the mass of New England people then perceived what a dangerous thing they had nursed into life, and none were more willing to consign the twenty-six members of the Convention (twenty of whom were *lawyers*!) to infamy, than the intelligent and influential portion of the “Yankees” themselves.

The responses of such States as took the trouble to respond to the propositions made to them, were adverse to the proposed changes in the Constitution. The doctrines set forth both in the Address and Resolutions gave dissatisfaction to those dissatisfied with the embargo and the war. No second Convention was called, for, not a town or village in New England, one year later, would have tolerated the sittings of such a body in its precincts. Well would it have been for the country—for the lately seceded States—if the loyal people of the cotton-growing commonwealths had crushed their disloyal leaders as the New Englanders crushed out the treason hatched by the Hartford Disunion Convention!

THE MISSOURI COMPROMISE EXCITEMENT—1819-21.

The Territory of Missouri came forward, in December, 1818, for admission into the Union as a State. As Slavery existed in the territory, the admission as a State involved the principles of a recognition of the "peculiar institution," and its right to extension. The Freesoil element of the Northern or Free States becoming alarmed, resolved to oppose the admission of the territory as a State with a Slave clause in its constitution. The South, equally determined, resolved the State should have Slavery if it wanted it, and thereby assumed that position which it has ever since persistently maintained—of a Slave right in the territories. The issue, thus squarely presented, was met in the House of Representatives by a bill (introduced by Mr. Tallmadge, of New York,) prohibiting Slavery, "except for the punishment of crimes, and that all children born in the said State after the admission thereof into the Union, shall be free at the age of twenty-five years." This passed the House, but was lost in the Senate. For eighteen months the discussion was continued in both branches of Congress with great ability, and not without great excitement which extended to every section of the Union.

On the one hand, it was contended that the ordinance of 1787, which excluded Slavery from all territory north-west of the river Ohio, was a public recognition of the principles of the people of the United States in regard to the establishment of Slavery in new States and Territories in that region, and that the proposal to establish it in Missouri was a direct violation of these fundamental principles. On the other hand, it was urged that Slavery was incorporated in the system of society when Louisiana, which comprehended the territory of Missouri in 1803, was purchased from the French, and that as the faith of the United States was pledged by treaty to all the inhabitants of that wide domain to maintain their rights and privileges on the same footing with the people of the rest of the country, it would be a violation of that faith and those rights to abolish the institution of Slavery without their consent.

Henry Clay then came forward with his

well known "compromise" resolutions, and, by his eloquence and great personal influence, succeeded in securing their passage—thus averting the peril threatened, of a disruption of the Union. The Compromise consisted of admitting Missouri as a Slave State, but conceding, as an equivalent for Northern concession in the premises, the prohibition of any further Slave territory north of the parallel 36 deg. 30 min. The Compromise, though unpalatable to the opponents of the right of Slave extension, was accepted as a solemn guarantee against all further extension, as, south of the parallel named, the territory then was not ours. Had it not been proposed and pledged as such a guarantee, the bill of Mr. Clay never could have passed the House of Representatives.

It was not until August, 1821, that the State was admitted. Prior to this the territory had adopted a State Constitution, one provision of which required the Legislature to pass a law "to prevent free negroes from coming to and settling in the State." When presented to Congress, this provision was strenuously opposed, but Missouri was finally admitted, on condition that no law should be passed by which any citizen of either of the States of the Union should be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the Constitution of the United States. The vote upon the passage of the bill in the House was 86 to 82, several members from non-Slaveholding States voting for it. In the Senate it was passed two to one—28 to 14. Missouri thus became one of the United States, measurably to increase the power of the Slave States in the government. State by State had been added to the original thirteen—Alabama, Tennessee, Kentucky, Mississippi, Louisiana, all with Slavery in their borders, and bearing to Congress the preponderating weight of their votes. The admission of Missouri, and the later admission of Arkansas and Florida, confirmed the supremacy of the South in the National councils; a supremacy which was not disturbed until the repeal of the Missouri Compromise in 1854 called into life the party which, in 1860, succeeded to the majority.*

* Mr. Everett states:—"Out of seventy-two years since the organization of this government, the Execu

THE INDIAN DIFFICULTIES IN GEORGIA, 1825.

The immense tracts of lands held in Georgia, Alabama, Florida and Mississippi by the Creeks, Choctaws, Chicksaw and Cherokee Indians, proved, for awhile, the source of much anxiety to government. The "reservations" guaranteed by solemn treaty to the Indians, in the various Southern and Western States, embraced immense bodies of choice land, up to a comparatively recent period. Thus, the treaties secured to the savages, and promised protection from all infringements by the whites on their domains, territories as follows:—In Georgia, nine and a half millions of acres; in Alabama, seven and a half millions; in Mississippi, fifteen and three-quarter millions; in the Territory of Florida, four millions; in the Territory of Arkansas, fifteen and a half millions; in the State of Missouri, two millions and three-quarters; in Indiana and Illinois, fifteen millions, and in Michigan, east of the lake, seven millions.

The "march of civilization" soon compassed these reservations with white settlements, and, as a matter of course, trouble followed. Encroachments would be made by the whites, covetous of the land or of its game. Indians would murder the whites and give the State authorities and the general government plenty to do to keep them in bounds. So great became the anxiety, in the Southern States named, to get rid of the aborigines, that their State Legislatures demanded of Government the entire removal of the red-men from their midst to the unsettled Territories around the

tive Chair has, for sixty-four years, been filled nearly all the time by Southern Presidents; or when not by Southern men, by those possessing the confidence of the South. For a still longer period the controlling influences of the Legislative and Judicial Departments of the government have centered in the same quarter. Of all the offices in the gift of the central power, in every department, far more than her proportionate share has always been enjoyed by the South." It is well to remember so important a fact. Judge Holt, of Kentucky, uses these facts, in his speech made at "Camp Holt," late in July, 1860, with most damaging force against those who make the plea that the South has been denied her rights and just share in the Government.

head waters of the Arkansas river. Georgia made her demand peremptorily, since she held the Federal Government bound by a compact to relieve her. This compact stipulated that, in consideration of Georgia relinquishing her title and claim to the Mississippi Territory, the General Government would extinguish the Indian titles to the lands within her confines, "whenever it could be peaceably done and on reasonable terms." After making that agreement the Government succeeded in extinguishing the title to about fifteen million acres, and conveyed the same to the State of Georgia. There still remained 9,537,000 acres in the possession of the Indians, of which 5,292,000 acres belonged to the Cherokees and the remainder to the Creek nation. Shortly before the termination of Mr. Monroe's administration, the State Government became very urgent for the entire removal of the Indians, and at the solicitation of the Governor two Commissioners were appointed to make a treaty with the Creeks for the purchase of their lands. This was a treaty negotiated on the 12th of February, 1825, the famous Chief, General William McIntosh, signing it in the presence of Mr. Crowell, the United States Indian Agent, by which all the Creek country and several millions' of acres in Alabama were ceded to the United States. Complaints followed it to Washington as having been concluded by McIntosh without the authority of the nation. The ratification of the treaty was opposed, but was finally carried by the strong vote of thirty-four to four. This sanction, on reaching the ears of the discontented Creeks, produced great excitement, and a secret council of the nation being called, they resolved not to accept the treaty. The death of McIntosh was determined on, and on the 30th of April his house was surrounded by a party, who shot him and another chief, and burned his premises. This aroused the State authorities to a determined course, and Georgia resolved to take possession of the lands by force. Troops were called out to sustain the claim. By this act the State opened a controversy with the General Government, which was bound to protect the Indians in their just rights.

When Mr. Adams came into power he made the subject an early matter of examination,

and became convinced that the Indians were right—that the treaty, as they represented, had been made by McIntosh without authority, and therefore that the enforcement of its provision ought not to be urged. As Georgia had called out troops to force the savages into an acceptance and fulfillment of the treaty, it only remained for the President to order a Federal force to the confines of the reservation to protect the Indians in their rights. This step aroused not only Georgia, but also the adjoining States, who were prepared, with troops and money, to assist Georgia “against the Government and the Indians.”

To avoid this hazard of war, Mr. Adams succeeded in gathering at Washington, in January, 1826, the head men and responsible representatives of the Creeks, and concluded a new treaty, which was substituted for the old one, whereby all the lands in Georgia were ceded, but none in Alabama. Notwithstanding the opposition of the Georgia delegation in Congress, the new treaty was ratified by the Senate at the ensuing session by a vote of thirty to seven, and the appropriations were made by the House of Representatives by a vote of one hundred and sixty-seven to ten. This treaty was faithfully observed by the Indians, and Georgia became possessed of their valuable land, after waiting a quarter of a century for Government to fulfil its agreement (made in 1802). At a late day the Cherokees' title was extinguished in Alabama, though their removal to the West was not accomplished until Gen. Scott took the matter in hand (in May, 1838).

THE SOUTH CAROLINA NULLIFICATION CONSPIRACY, 1832-3.

This Conspiracy raised the direct issue, invented by Mr. Jefferson in his Resolutions of '98, of the right of a State to nullify the acts of Congress and to be its own judge of the constitutionality of a law.*

* It is denied that Mr. Jefferson is the originator of the idea; but, as we have before remarked, the evidence to the contrary is the resolutions them-

The passage of the Tariff Act of 1828 was the immediate cause of the excitement known as the “Nullification” rebellion. That act heavily taxed woollens and other imported products—thus greatly enhancing their price to the South, and restricting importations. The complaint was one well calculated to excite a bitter feeling in the Cotton States, since it took the shape of a “Northern exaction”—a “tribute to Northern capital and labor”—an “unequal assessment of burdens,” &c. Mr. Hayne, U. S. Senator from South Carolina, in January, 1830, arraigned the act as unconstitutional, and asserted the right and duty of the State to nullify the law by refusing to pay the required duties. This speech called forth from Webster his great oration on the powers of the Constitution. In it he so thoroughly killed the assumed right of nullification, that, for the moment, the friends of resistance to the law were intimidated, if not convinced.

The excitement, however, soon received a new impetus, from a most trivial but not less significant source. The matter is thus stated:

On the 15th of April, 1830, the anniversary of the birthday of Thomas Jefferson was celebrated by a numerous company at Washington city, among whom were the President and Vice-President of the United States, several members of his Cabinet, and a numerous attendance of the members of Congress. With the promulgation of the toasts the feeling began to spread that the dinner was got up to inaugurate the doctrine of nullification, and make Mr. Jefferson its father. Numbers left the table, but the company was still numerous and the festivity a success. When the regular toasts were over, the President

himself. The time has gone by for us as partisans to make special pleas to explain away or qualify acts and expressions of great leaders. Let plain words be interpreted in the plain way. There has been so much “pettifoggery” in regard to the clear, Saxon expressions of the Constitution, so much good sense wasted in constructing equivocalities for party platforms, so much legal doubt created by Supreme Court decisions on property in men, that we should be permitted to regard them all as consigned to the past, and to read the records by the new and direct light of a present disenthralment of mind from old passions and prejudices.

was called upon for a volunteer, and gave one which has since become historical.

"Our Federal Union—it must be preserved." Under the peculiar circumstances of the case—the feeling that had found vent in South Carolina and elsewhere in that section, and the excited state of the public mind generally, this simple sentiment was received as a proclamation from the President to announce a plot against the Union. The next toast was by Mr. Calhoun, and it did not by any means allay the suspicions which existed in every bosom. It was this:

"The Union, next to our liberty, the most dear: may we all remember that it can only be preserved by respecting the rights of the States, and distributing equally the benefit and burthen of the Union."

In the language of Thomas H. Benton, who was present, "this toast touched all the tender parts of the new question—liberty before Union—only to be preserved. State rights, inequality of burthens and benefits. These phrases connecting themselves with Mr. Hayne's speech, and with proceedings and publications in South Carolina, unveiled nullification as a new and distinct doctrine in the United States, and the existence of a new party in the field."

From that moment the issue was directly presented in the shape of "our rights *or* disunion," and the State Rights party, in the extreme Southern States, became very powerful, particularly in South Carolina—the home of both Mr. Hayne and John C. Calhoun, where their influence was remarkably strong.

To meet the approaching storm, and avert the calamity of an open rupture with South Carolina, a modification was made of the offensive act; but, the duties were not abated enough. The fact that the movement for nullification and secession had frightened Congress into some concessions made the State Rights men more strenuous than ever. It gave them the *prestige* which comes from victory. Had not Mr. Calhoun been elected Vice-President of the United States? Had not Congress made concessions and betrayed a nervous apprehension of South Carolina threats? The leaders of the nullification movement deemed the beginning auspicious for a glorious ending.

Meetings took place throughout the State close upon the Presidential election. The Legislature came together amid much excitement. One of its first acts was to appoint a Committee to report on the relations of the State with the General Government. It reported that the Federal Constitution was a compact originally formed, not between the people of the different States as distinct and independent sovereignties; that when any violation of the spirit of that compact took place, it was not only the right of the people, but of the State Legislature, to remonstrate against it; that the Federal Government was responsible to the State Legislatures whenever it assumed powers not conferred; that notwithstanding a tribunal was appointed under the Constitution to decide controversies where the United States was a party, there were some questions that must occur between the Government and the State which it would be unsafe to submit to any judicial tribunal; and finally, that there was a peculiar propriety in a State Legislature's undertaking to decide for itself, inasmuch as the Constitution had not provided any remedy.

A convention of delegates was thereupon ordered to assemble on the 19th of November, to act for the State, in the crisis. Meanwhile the Virginia Legislature, also, by a vote of 154 to 68, gave her assent to the principle of nullification. North Carolina declared against it and held out firmly for the Constitution and the laws. Alabama and Georgia endorsed South Carolina heartily, and their course led the country to feel that, in event of South Carolina's secession, they would follow her lead. Government had just succeeded at enormous cost, in extinguishing the Indian titles to lands in these States, and they in return, were ready to cast off the Government.

The Convention of Delegates assembled on the 19th of November. Governor Hayne (late United States Senator) was made its President. The Tariff acts of 1828 and 1832 were declared null and void and not binding upon the citizens of the States. It was further declared that if the United States should attempt to enforce them by naval or military force, the Union was to be dissolved, and a convention called to form a government for

South Carolina. It further provided that no appeal should be permitted to the Supreme Court of the United States in any question concerning the validity of the ordinance, or of the laws passed to give effect thereto. This threw the die for the movements to follow. The Legislature immediately took all steps necessary to carry out the programme of the Convention—the legislators being convened for the especial purpose, by call of the Governor. The acts adopted embraced one authorizing the Governor to call on the militia to resist any attempt on the part of the Government of the United States to enforce the revenue laws. Ten thousand stand of arms and the requisite quantity of military munitions were ordered to be purchased, and any acts done in pursuance of that law were to be held lawful in the State courts.

This was followed by the resignation of the Vice-President of the United States by Mr. Calhoun, and he proceeded to Washington to resume his seat in the Senate. The President, Andrew Jackson, just re-elected, felt extremely indignant toward Calhoun, and, it is now known, had made up his mind to arrest him, on his arrival at the Capital, to try him for high treason, and to hang him if convicted. He was persuaded from this extreme and hazardous course by Mr. Webster and others; and, on the 10th, issued his famous proclamation against the nullifiers, in which was forcibly and plainly stated the nature of the American Government; the pretended right of sovereignty was denied; the supremacy of the Federal Government declared, and an exhortation made to the citizens of South Carolina not to persist in a course which must bring upon their State the force of the Confederacy, and expose the Union to the hazard of dissolution. At the same time all the disposable military force was ordered to assemble at Charleston, and a sloop-of-war was sent to that port to protect the Federal officers, if necessary, in the discharge of their duty. General Scott, then as at a later day, the watchful Guardian of the public weal, was given charge of the military movements, under special instructions from Lewis Cass, Secretary of War. Ere the South Carolinians were aware Scott was in Fort Moultrie, with a strong force, prepared to collect the revenues

of the harbor at the cannon's mouth, if necessary.

At the opening of Congress, Jackson sent in his Message, setting forth the facts of the case. His policy was one of peaceful settlement, if possible; but, if Congress did not repeal or modify the law, he was ready to force South Carolina into *submission*. Nullification he termed revolution, which he was bound to suppress. The entire country, save the States of Virginia, South Carolina, Georgia and Alabama, approved "Old Hickory's" policy, and stood ready to sustain him. Even in these apparently disloyal States there was a very powerful Union party, which repudiated the baleful idea of nullification, and which, eventually, succeeded in making itself heard and felt.

The determined front of the government—the argument read in General Scott's face—the silent admonition of Moultrie's guns, induced a material abatement of the nullifiers' zeal. South Carolina, it became painfully evident to the leaders of the conspiracy, could not get out of the Union if she would. Her revenues were collected by the Collector, at the regular Custom House, and, in all other respects, the state of affairs was not changed. The Convention, after its most extraordinary display of arrogance and opposition, resolved to wait until Feb. 1st before ordering hostile action!

"On the 21st of January, Mr. Wilkins, of Pennsylvania, introduced in the United States Senate his bill, to empower the President to crush out all opposition to the collection of the revenue by, summoning the military power of the Confederacy. Pending the discussion which followed, Calhoun delivered his argument on the Constitution. It was a most powerful and subtle plea, claiming the rights of states *as* states and independencies, and assuming nullification to be the bulwark of their liberties. The speech was published and circulated extensively throughout the country, to be quickly followed by Webster's truly magnificent reply, which, in fact, made the Government and the Constitution stronger for the assault of the Carolina logician. The bill of Mr. Wilkins passed by an almost unanimous vote—so united was the sentiment on the question of sustaining the laws and pro-

protecting the Constitution from infringement upon its powers. John Tyler, of Virginia, was among those who voted against the bill.

This act was followed by one of concession and compromise, introduced by Henry Clay, proposing a graduated scale, by which the duties were to be abated annually. This bill allowed Government the needed benefits of the revenue, only detracting from the tariff one-tenth each year upon all articles tarified *over* twenty per cent., thus gradually reducing the duties until they should strike the free list, in December, 1841. This act passed both Houses by good majorities, and was signed March 2d, 1833. In the meantime, February 1st had come, and the Nullifiers did not drive General Scott out of Fort Moultrie, nor cease to pay their duties both to the Collector and to the Government. Accepting the "highly satisfactory settlement" of the difficulty, it only remained for Governor Hayne to summon the Convention to undo what they had done. The delegates came together March 11th, placed South Carolina back in the Union, declared the great principle of State Sovereignty established, and, adjourned.

This conspiracy left behind it the seeds of disunion. The idea of a State independence, of a power to control circumstances to their own liking, of a disseverance of all bonds with the "hated North," was left to germinate and grow, to burst out again, when a weak Executive should afford the opportunity, into treason and revolution.

DORR'S REBELLION, 1842.

This merely local "rebellion" deserves mention rather from its peculiar nature than from its importance. Its circumstances were as follows:—

Down to 1833 the government of Rhode Island was based upon the original charter of settlement, granted by Charles II. in 1663, by which the elective franchise was restricted to persons possessed of real estate to a specified amount, and to their eldest sons. This disfranchised fully two-thirds of the actual citizens. Yet, so prevalent were old prejudices, so powerful old associations, that the Legis-

lature steadily refused to substitute a more modern and republican constitution for the old, but simple and strong, government of the Charter. Thomas W. Dorr, an attorney at law, of Providence, and a member of the Assembly, sought to introduce a reform; but, for a long time labored in vain. When brought to a vote his proposition for a change obtained only seven out of seventy votes. Not to be thwarted, Dorr then appealed to the people, agitating the question of change and reform in several mass conventions, held in 1840-41. When the movement had gained sufficient strength, a Convention of Delegates was called, which prepared a State Constitution to be submitted to a regular vote of the people. It obtained 14,000 votes—said to have been a clear majority of the regular citizens of the State. The Chartists pronounced the entire proceedings seditious and declared the vote, illegal as it was, to have been largely fraudulent. Dorr decided otherwise; and, with true Puritan pertinacity, proclaimed the Constitution to be the law of the State. He ordered, accordingly, an election to be held for State officers.

Dorr was chosen Governor, and a Legislature, composed exclusively of his supporters, was elected, to meet at Providence on the first Monday of May, 1842. The Charter party also held an election for State officers, polling 5,700 votes, while the Suffrage party claimed to have polled 7,300.

On the 3d of May, Dorr's Government attempted to organize at Providence and seize the reins of power. They were resisted by the legal State Government, which assembled at Newport on the same day, and at the head of which was Gov. Samuel W. King. Both sides appealed to arms. The excitement was intense, and the people flocked to the respective standards in large numbers from various New England States. Gov. King proclaimed the State under martial law, called out the militia and asked and obtained the aid of the United States to suppress the treason. On the 18th of May a portion of the Suffrage party assembled at Providence under arms and attempted to seize the arsenal, but were dispersed by Gov. King and a military force. They assembled again, to the number of several hundred, May 25, 1842, at Chepachet Hill,

ten miles from Providence, but again dispersed on the approach of the State forces. Three days afterwards the affair was over. Dorr fled from the State, and took refuge first in Connecticut, and then in New Hampshire. A reward of \$4,000 being offered for his apprehension by Rhode Island, he voluntarily returned home, was tried, convicted of high treason, and sentenced to imprisonment for life. In 1847 he was pardoned, and, in 1852, the Legislature restored him to his civil rights, and ordered the record of his sentence to be expunged. He lived to see a liberal constitution and his party in possession of the reins of government.

Rhode Island is now as democratic as any of her sister States. She boasts a population nearly as great as that of Texas, and twice that of Florida, while, in intelligence and industrial enterprise, she is vastly before either of the States named. In the hour of the General Government's peril she has proven a tower of loyalty, and the names of her sons occupy a favored place in the record of the struggle against revolution and national disintegration.

THE KANSAS-NEBRASKA TROUBLES.

The years 1854-58 are "representative" in the history of the country. On the 4th of January, 1854, Mr. Douglas, as chairman of the Committee on Territories, in the United States Senate, introduced the bill for the organization of the territories of Nebraska and Kansas. It provided as follows:—

"When admitted as a State, the said territory, or any portion of the same, shall be received into the Union, with or without Slavery, as their constitution may prescribe at the time of their admission."

Thus abrogating the venerable and respected Missouri Compromise Act, of 1820, while it further established the principle of "Squatter Sovereignty," which gave to the people of a territory the right to make their own laws—denying to Congress the power to legislate laws for its territories.

That act became a law, after one of the most exciting sessions of Congress known for

years. It was one of the most fatal acts for the peace of the country which could have been conceived. It alarmed the North. The country flew to arms. From the South came armed bands, who, as a *posse comitatus*, under authority of the President, pursued the Anti-slavery settlers with a vengeance making the record of 1855 and 56 one of outrage and bloodshed. The North, aggravated by this armed attempt to make a Slave State out of soil unfitted for slave labor, poured in its settlers, armed them for defence, gave them supplies to sustain them through the day of trial, and, eventually, obtained the victory through the action of that very principle of "Squatter Sovereignty." The Northern "Squatters" became vastly more numerous even than the Missouri invaders and the vagabonds from Arkansas and Mississippi introduced by Capt. Titus and his coadjutors, and, by mere force of numbers, obtained control of affairs.

What was most important, however, in this unfortunate re-opening of the Slavery question, was, not the local struggle which followed, but the great political party which it called into existence. Taking the powerful issues of opposition presented, of the non-extension of slavery and the freedom of the territories, the Republican party sprang into life, and, ere long, began to carry all before it in the Northern States. Mr. Fremont, as its candidate for the Presidency in 1856, needed but the vote of Pennsylvania to have made him President; and Mr. Lincoln, its candidate in 1860, was elected to that high office by heavy majorities in seventeen States. Had it not been for that Kansas-Nebraska bill the Republican party never would have had existence, upon such issues as "no more Slave territory,"—"no Slavery in the territories,"—"no more Slave representation in Congress from new Slave States."

The matter resulted:—

1. In the admission of Kansas as a Free State.
2. In the formation of the Republican Party.
3. In the election of a Republican President.
4. In the "rebellion" of the Slave States against his rule.
5.

HISTORICAL SUMMARY OF EVENTS,

FROM NOVEMBER 6, 1860, TO DECEMBER 27, 1860.

Nov. 6.—Presidential Election day. Four candidates before the people, viz.: Abraham Lincoln, *Republican*, of Illinois; Stephen A. Douglas, *Democrat*, of Illinois; John C. Breckenridge, *Democrat*, of Kentucky; John Bell, *Unionist*, of Tennessee. Seventeen States out of thirty-three States cast their majority vote for Lincoln electors; eleven States for Breckenridge; three for Bell; while Douglas received the vote of Missouri, and three-sevenths of the vote of New-Jersey.

✓ Nov. 10.—Bill introduced in South Carolina Legislature to call out and equip 10,000 volunteers.

—United States Senator, James Chesnut, Jr., from South Carolina, resigns his seat in the Senate.

—South Carolina Legislature orders an election of Delegates to a Convention for taking action on the question of secession; the election to be held Dec. 6th; the Convention to assemble Dec. 17th.

✓ —Georgia Legislature refuses to order an election of United States Senator, to succeed Alfred Iverson.

—Immense excitement throughout the South. Large meetings held in New Orleans, Augusta, Montgomery, Vicksburg, &c., to favor disunion. Exciting cabinet session at Washington, to "take action on the alarming state of the country." Great number of resignations of Post-masters, Custom-house officers, &c., received at the Departments in Washington. "Minute men" organizations making throughout the Cotton States.

—South Carolina Legislature authorizes banks to suspend specie payment.

Nov. 11.—United States Senator Hammond, of South Carolina, resigns his seat in the Senate.

Nov. 13.—South Carolina Legislature adjourns *sine die*.

Nov. 14.—Immense torch-light procession in Columbia, S. C., in honor of the action of the Legislature of S. C.

✓ —Florida, by her Governor, telegraphed to the Governor of South Carolina, "Florida is with the gallant Palmetto flag."

Nov. 15.—Senator Toombs makes a "powerful secession speech" in Milledgeville, Georgia.

—Governor Moore, of Alabama, announces his intention to order an election of Delegates to a State Convention; the election to be held Dec. 24. He advises the people to prepare for secession. The Convention to assemble January 7th.

✓ —Governor Letcher, of Virginia, calls an extra session of the Legislature, to assemble Jan. 7, to "take into consideration the condition of public affairs."

—The United States troops garrisoning the forts,

arsenals, &c., in the Southern States, are as follows: at Fort Monroe, Va., eight companies of artillery; at Fayetteville arsenal, N. C., one company of artillery; at Fort Moultrie, S. C., two companies of artillery; at Augusta, Ga., one company of artillery; Key West, Florida, one company of artillery; Barrancas barracks, near Pensacola, Fla., one company of artillery; Baton Rouge, La., one company of artillery; total, about 800 men. There are about 120 United States marines at Norfolk and Pensacola.

Nov. 17.—Grand gathering of citizens of Charleston, S. C., "to inaugurate the revolution." Pine pole, 100 feet high, raised, and the Palmetto flag unfurled. Hotels, private residences, and public buildings all display the flag. Great rejoicing. Secession badges worn by men, women and children.

Nov. 18.—General depreciation of government and state stocks, railway shares, &c. Very unsettled state in the money market. General suspension of payment of debts due the North by Southern merchants, looked for in New York and Philadelphia.

—Georgia Legislature appropriates \$1,000,000, "to arm and equip the State." Orders an election of Delegates to a State Convention, to be held January 2. The Convention to assemble January 9.

—Major Anderson ordered to Fort Moultrie, to relieve Col. Gardiner, who is ordered to Texas.

✓ Nov. 19.—Gov. Moore, of Louisiana, orders the Legislature of that State to convene, Dec. 10.

Nov. 20.—Large arrivals in New York of arms for the South. Heavy orders received and filled in New York for rifles, ammunition, pistols, &c., for the Southern States.

Nov. 22.—The Washington and Philadelphia banks suspend specie payment. The banks of Baltimore and Richmond suspended specie payment two days previously. Notes of all Southern banks at a heavy discount in New York. The New York banks resolve to consolidate funds and afford relief by a liberal line of discount.

Nov. 23.—Suspension of North Carolina banks legalised by the Legislature of that State. Numerous bank suspensions announced in Pittsburg, Pa., Trenton, N. J., Charleston, S. C. The Boston banks resolve to adopt the course of the banks of New York.

—Disagreements in the Cabinet reported. The President is understood to take strong grounds against the right of secession. Messrs. Cobb, Thompson and Floyd are reported as threatening to resign in consequence. They are understood to favor a "peaceful separation."

✓ —Great public meeting in New Orleans, to organize a "Southern Rights Association," whose purpose is to aid in carrying the State out of the Union.

Nov. 27.—Gov. Hicks, of Maryland, refuses to convene the Legislature. He writes a letter, taking strong ground against secession, and says his purpose is to avoid any precipitation in action on the part of the secessionists in the State.

Nov. 29.—A dispatch from Washington says: "Letters from members of Congress and others, in South Carolina, written before the Presidential election, are exhibited here, proving that this revolutionary scheme was concocted long ago, and that a secret military organization was formed to carry out the scheme of resistance in the event of Mr. Lincoln's success."

—The Vermont Legislature — 125. to 58 — votes against a repeal of its Personal Liberty bill.

—Day of Thanksgiving observed in most of the States. Sermons were preached by eminent divines, generally urging a policy of peace, concession, and fraternization in the great questions of the times.

—The Mississippi Legislature authorizes the Governor to appoint as many Commissioners as he may deem necessary, to visit each of the slave-holding States, to inform them that the Mississippi Legislature had authorized a Convention to consider the necessary steps for meeting the crisis. The Commissioners were to solicit the co-operation of Legislatures to devise means "for their common defence and safety." The following gentlemen were afterward named by the Governor: Virginia, C. P. Smith; Georgia, W. L. Harris; Maryland, A. H. Handy; Tennessee, T. J. Wharton; South Carolina, C. E. Hooker; Alabama, J. W. Matthews; Kentucky, W. S. Featherston; Louisiana, Wirt Adams; Arkansas, Geo. R. Fall; Texas, H. H. Miller; Florida, E. M. Yerger; Delaware, Henry Dickinson; North Carolina, Jacob Thompson.

—Dispatches from New Orleans state: "Abolitionists are daily arrested. There is immense excitement, and the secession feeling momentarily increasing. Disunion is inevitable."

Nov. 30.—The North Carolina Legislature refuses to go into an election for United States Senator, in place of Mr. Clingman.

—The Bank bill to suspend specie payment of banks in Georgia re-passed over the Governor's veto.

—Bill introduced into the Georgia Legislature (House) prohibiting the levying of any execution from the Courts of the United States on the property of citizens of Georgia prior to December, 1861—all sales under such process to be void.

Dec 1.—A committee of citizens of Texas, comprised of leading men, petitioned Gov. Houston to convene the Legislature. The Governor responded, that, viewing the proposed measure unwise, he could not call the Legislature; but if a majority of the citizens of the State petitioned for it, he could not stand in the way. The secession feeling largely predominates in the Southern and Eastern portion of the State.

—Florida Legislature passed the Convention Bill unanimously. The Convention to meet Jan. 3d.

—Banks in Georgia generally suspend specie payment.

—Immense secession meeting at Memphis, Tennessee. Resolutions were passed accepting the "irrepressible conflict;" calling upon the Governor

to convene the Legislature; directing that a State Convention be called, and telling the Southern States that Tennessee will stand by the action of the Southern Convention for weal or woe.

Dec. 3.—Preamble and resolutions adopted in the Georgia Legislature, (House,) proposing a Conference of the Southern States, at Atlanta, on the 20th of February, to counsel and advise as to the mode and manner of resistance to the North in the existing exigency, was made the special order for tomorrow. The preamble and resolutions take strong grounds in favor of having all sectional questions finally settled, and objects to separate action.

—Meeting in Boston, to commemorate the anniversary of John Brown's execution broken up. Considerable violence shown to its participants.

—Congress meets at Washington. Full representation from most of the States. South Carolina representatives in their seats, except Mr. Bonham. Her Senators absent.

—President's Message read to the two Houses, and the Department reports sent in. The Message takes strong grounds for conciliation; blames the North for its aggressions on Slavery; proposes plans of compromise; denies the right of secession, yet disparages coercion. Message was attacked fiercely in the Senate by Clingman, of North Carolina, and defended by Crittenden, of Kentucky. In the House, Mr. Boteler, of Virginia, offered a resolution to appoint a Special Committee of one from each State, to whom should be referred so much of the President's Message as "relates to the present perilous condition of the country."

Dec. 4.—The President dispatches a messenger (Mr. Trescott) to South Carolina, to urge a postponement of action in regard to secession or nullification, until Congress could act on compromises and remedies.

Dec. 5.—Meeting of the State Electoral Colleges. Abraham Lincoln for President, and Hannibal Hamlin for Vice-President, receive the votes of seventeen States or one hundred and eighty electoral votes.

—Exciting speeches in the United States Senate by Southern Senators looking to secession as their only relief from Northern domination.

Dec. 6.—Great Union meeting and oration in Richmond, Va.

—The Speaker of the United States House of Representatives announced the Committee of one from each State, called for under Mr. Boteler's resolution, (Dec. 4,) to consider "so much of the President's Message as relates to the present perilous condition of the country." The names are as follows:—Ohio, Mr. Corwin, *Chairman*; Virginia, Mr. Millson; Massachusetts, Mr. Adams; North Carolina, Mr. Winslow; New York, Mr. Humphreys; South Carolina, Mr. Boyce; Pennsylvania, Mr. Campbell; Georgia, Mr. Love; Connecticut, Mr. Ferry; Maryland, Mr. Davis; Rhode Island, Mr. Robinson; Delaware, Mr. Whiteley; New Hampshire, Mr. Tappan; New Jersey, Mr. Stratton; Kentucky, Mr. Bristow; Vermont, Mr. Morrill; Tennessee, Mr. Nelson; Indiana, Mr. Dunn; Louisiana, Mr. Taylor; Mississippi, Mr. Davis; Illinois, Mr. Kellogg; Alabama, Mr. Houston; Maine, Mr. Morse; Missouri, Mr. Phelps; Arkansas, Mr. Rust; Michigan, Mr. Howard; Florida, Mr. Hawkins; Texas, Mr. Hamilton; Wisconsin, Mr. Washburne; Iowa, Mr. Curtis; California, Mr. Burch; Minnesota, Mr. Windom; Oregon, Mr. Stout.

Dec. 7.—A circular is issued inviting the members of the Texas Legislature to assemble in Austin on the third Monday in December, for the purpose of holding an extra session, and to take the necessary steps for calling a State Convention. Gov. Houston promises to resign if the people of the State demand the convoking of the Legislature. The hoisting of Lone Star flags in the towns of Texas continues, and the people throughout the State appear to be united in their feeling of resistance to the administration of Mr. Lincoln.

—The President to-day explicitly expressed his determination to send no more troops to the forts near Charleston, and said everything would be done on his part to avoid a collision. Major Anderson has made no request for re-enforcements.

—A dispatch from Washington states that the Secretary of the Treasury, Howell Cobb, has had repeated interviews with Mr. Hunter, Chairman of the Committee on Finance in the Senate, and finds himself unable to extricate the Treasury from its present bankrupt condition; consequently he proposes to resign at once.

Dec. 8.—The Kentucky banks resolve to continue specie payment, as a suspension can afford no commercial relief.

—Governor of Tennessee calls an extra session of the Legislature, to convene Jan. 7th, to "consider the present condition of the country."

Dec. 9.—Gov. Brown of Georgia publishes a letter favoring immediate secession.

Dec. 10.—Howell Cobb, Secretary of the Treasury, resigns his seat in the Cabinet. Mr. Toucey, Secretary of the Navy, acts in his stead, *ad interim*.

—United States Senator Clay, of Alabama, resigns his seat in the United States Senate after March 4th, 1861.

—It is divulged that the Democratic members of Congress from the North-Western States have held several conferences. They take the position that the Union cannot be dissolved peaceably; that the North-West will, under no circumstances, consent to be cut off from the Gulf of Mexico and the City of New York; that the Government, whatever may be its faults, is of inestimable value.

—Extra Session of Louisiana Legislature meets. The Governor recommends a State Convention. Convention ordered—an election of delegates to be held Jan. 23. Legislature adjourned Dec. 12th. A military bill was passed, appropriating \$500,000 to arm the State for defence, and provisions made for military organization and administration.

Dec. 12.—Assistant Secretary of State, Trescott, resigns.

—Mr. Philip Frank Thomas, of Maryland, Commissioner of Patents, is nominated Secretary of the Treasury, *vice* Cobb, resigned.

Dec. 13.—Immense Union demonstration in Philadelphia, by proclamation of the Mayor.

—Exciting session of the Cabinet in regard to the re-enforcement of Fort Moultrie, in Charleston harbor. The President opposed its re-enforcement as impolitic, saying he had assurances that the fort would not be attacked if no re-enforcements were attempted. Mr. Cass, Secretary of State, and Mr. Toucey, Secretary of the Navy, both strenuously

urged the policy of strengthening Major Anderson fully. Mr. Cass, it was understood, made that policy a *sine qua non* of his stay in the Cabinet.

Dec. 14.—Lewis Cass, Secretary of State, resigns his seat in the Cabinet. His resignation causes much feeling and comment. It was owing to his disapproval of the President's inaction in regard to re-enforcing Southern forts, arsenals, navy yards, &c.

Dec. 15.—Attorney-General Black nominated Secretary of State in place of Lewis Cass, resigned.

—A meeting of members of the Georgia Legislature favoring co-operation, and urging a Convention of Southern States desirous of co-operating. An address issued to the people of South Carolina, Alabama, Mississippi, and Florida, signed by 52 members of the Legislature.

Dec. 17.—South Carolina Convention of Delegates assembles in Convention. General Jamison elected President. Adjourned to Charleston.

—Mr. Pickens inaugurated by the Legislature as Governor of South Carolina. His Inaugural was decidedly for secession.

Dec. 18.—Mr. Crittenden introduces into the United States Senate, Resolutions of Compromise and settlement of differences between the Slave and Free States. The bill, as introduced, proposes: To renew the Missouri Compromise Line; prohibiting Slavery in the Territory north of 36 deg. 30 min., and protecting it South of that latitude; and for the admission of new States with or without Slavery, as their Constitutions shall provide: to prohibit the abolition of Slavery by Congress in the States: to prohibit its abolition in the District of Columbia so long as it exists either in Virginia or Maryland: to permit the transportation of slaves in any of the States by land or water: to provide for the payment of fugitive slaves, when rescued: to repeal one obnoxious feature of the Fugitive Slave Law—the inequality of the fee to the Commissioner—and also to ask the repeal of all the Personal Liberty bills in the Northern States. These concessions are to be submitted to the people in the form of amendments to the Constitution, and if they are carried they are to be changed by no future amendments.

Dec. 18–19.—Andrew Johnson, United States Senator from Tennessee, speaks on the resolutions proposing amendments to the Constitution. He denies the right of secession, and calls upon the Maryland: to enforce the laws regardless of consequences. Taking up arms to resist the Federal laws he pronounces treason.

Dec. 19.—Governor Hicks, of Maryland, declines to receive the Commissioner from Mississippi. He vindicates the course by expressing strong Union sentiments.

—The Commissioner of Mississippi to Maryland addresses a large meeting in Baltimore, advising co-operation on the part of the people of Maryland in the secession movement.

Dec. 20.—The Ordinance of Secession passes the South Carolina Convention of Delegates unanimously. The announcement is received by the people of Charleston with exciting manifestations of delight. The news throughout the North excites comparatively little remark.

—The Methodist Conference of South Carolina passes resolutions favoring secession.

—Immense receipts of specie in New York. Nearly

six millions of dollars in coin received during the week.

—Great demonstrations of enthusiasm throughout the Cotton States over South Carolina secession. In the leading cities of these States salutes were fired, Palmetto and State flags were displayed, bells were rung, and large meetings of citizens were held. No Union sentiment appeared. No Stars and Stripes flags to be seen. Salutes were also fired in many cities of the Border Slave States.

Dec. 21.—As indicative of the course the Republican members of Congress are to pursue in regard to compromise measures, the speech of Senator Wade, of Ohio, before the Senate Select Committee of Thirteen, on the Crisis, is the first declaratory expression. It took ground against any amendments of the Constitution, and generally expressed opposition to compromises which looked to giving slavery any constitutional protection or recognition. He said Mr. Lincoln was constitutionally elected and should be constitutionally inaugurated.

—Judge Douglas made important statements before the Senate Select Committee of Thirteen. He is reported as saying, "that he was ready now to unite in recommending such amendments to the Constitution as will take the Slavery question out of Congress. In view of the dangers which threaten the Republic with disunion, revolution, and civil war, he was prepared to act upon the matters in controversy without any regard to his previous action, and as if he had never made a speech or given a vote on the subject."

Dec. 22.—The North Carolina Legislature adjourned to January 7th. The bill to arm the State failed to pass the House.

—Caleb Cushing, special messenger of the President to South Carolina, to induce the postponement of the adoption of the ordinance of secession, returns and reports the passage of the ordinance, and reports no hopes of any arrangement of the pending differences. A Cabinet meeting was called.

Dec. 23.—Intense excitement in Washington, consequent upon the discovery of a heavy defalcation in the Department of the Interior, by abstraction of bonds and coupons belonging to the Indian Trust Fund. The amount abstracted is confessed by Godard Bailey, the guilty clerk, to have been \$830,000. Mr. Floyd, Secretary of War, is said to be deeply implicated by the revelations made.

Dec. 24.—The Speaker of the House directs the names of the "withdrawn" South Carolina members to be retained on the roll and to be regularly called.

—Great excitement in Pittsburg in consequence of orders being given to ship, from the Alleghany Arsenal, 78 ten and eight-inch columbiads to Fort Newport, near Galveston, and 48 to Ship Island, near Balize, at the mouth of the Mississippi—both unfinished forts. The people regard the order as designed to strip the Arsenal in order to place the heavy guns in the hands of the enemies of the Government and will oppose their removal by force.

—The South Carolina Convention adopts a "Declaration of Immediate Causes which Justified the Secession of South Carolina from the Union."

—The Special Commissioners, appointed by the South Carolina Convention to negotiate a settlement of differences and a treaty of amity and commerce

with the United States, leave Charleston for Washington.

—Gov. Moore convenes the Legislature of Alabama for January 14th, to provide for any emergency that may arise from the action of the Convention, which meets January 7th.

Dec. 25.—Among other important transactions of the South Carolina Convention was the reception of three resolutions from the Committee on Relations with the Slaveholding States of North America. The first resolution provides that the Convention appoint Commissioners to proceed to each Slaveholding State that may assemble in Convention, for the purpose of laying before them the ordinance of secession and respectfully to invite their co-operation in forming a Southern Confederacy. The second resolution authorizes the said Commissioners to submit the Federal Constitution as the basis for a provisional Government for such States as shall have withdrawn from the connection with the Government of the United States of North America. The third resolution provides that the said Commissioners be authorized to invite seceding States to meet in convention at such a time and place as may be agreed upon for the purpose of forming a permanent Government for these States. All of which were acted upon affirmatively, after considerable discussion. They are regarded as having been arranged by the secession leaders, long since, and look to a co-operative union among the slave seceding States.

Dec. 26.—The three South Carolina Commissioners, viz.: Messrs. R. W. Barnwell, James L. Orr, and Ex-Gov. Adams arrive in Washington.

—A resolution offered in the South Carolina Convention, that the Governor be requested to communicate to the Convention in secret session, any information he possesses in reference to the condition of Forts Moultrie and Sumter, and Castle Pinckney, the number of guns in each, the number of workmen and kind of labor employed, the number of soldiers in each, and what additions, if any, have been made since the 20th inst.; also, whether any assurance has been given that the forts will not be re-enforced, and if so, to what extent; also, what police or other regulations have been made, if any, in reference to the defenses of the harbor of Charleston, the coast and the State.

—It is now announced by advices from Texas, that Gov. Houston will convene an extra session of the Texas Legislature on the 21st of January, to consider the present crisis. The Convention of the people will be held on the 28th of January. The secession element is rapidly gaining the ascendancy. It will carry all before it in the Convention.

—Major Anderson commences the evacuation of Fort Moultrie at night.

Dec. 27.—Gov. Magoffin calls an extra session of the Kentucky State Legislature to assemble Jan. 17th, to consider the distracted state of the country.

—It is ascertained at Charleston that Fort Moultrie is evacuated. The evacuation took place during the night, Major Anderson transferring his entire force (about eighty men) with stores, munitions, movable arms, &c., to Fort Sumter. Most intense excitement in consequence throughout the entire country. The military in Charleston ordered out. Troops tendered by Georgia, Alabama, Mississippi, and Florida.

CHAPTER I.

THE TRUE CAUSE OF THE REBELLION.

The True Reason.

THE Secession movement, which took form and consistency by the action of South Carolina, immediately after the election of Mr. Lincoln, was not the conception of an hour. It was *not* the result of the election of a "sectional" President. It was *not* the result of wrongs inflicted upon the South by the Free States. It was *not* because the North had perverted the Constitution from its original intent and purposes.

It is urged, by the leaders of the movement, that these were their reasons for the attempt to dissolve the Union, and the mass of our people doubtless have regarded these as the true grounds of complaint; but, it is the merest surface view of the question. Were these the only excuses to offer for the Rebellion and all its train of blood, what a miserable pretence of justification the movement would have!

The motive which underlies all is the numerical preponderance of the North, and, under the Constitution, its ability hereafter to control the legislation of Congress by virtue of its resistless majority.

Purchases of new
Territory.

Each census, since 1800, has shown that the increase of population in the Northern, or Free States, was in a ratio soon to snatch from the Slave States their almost unbroken control of the Government; hence from that time the study has been to avert the impending minority by the introduction of new Slave States to the Union. Louisiana was purchased at an enormous price, not more to open the mouths of the Mississippi than to send to Congress two Slave Senators and her due quota of Representatives. Mississippi was purchased from Georgia

and the Indians for the same purpose. Alabama was made out of Georgia and Mississippi territory, to increase the representation. Tennessee was cut out of Kentucky territory for the same purpose. Florida was purchased of Spain, at great expense, to the same end. Then followed a step *over* the Mississippi river, to appropriate territory lying to the west of the territory given to free labor by the ordinance of Mr. Jefferson; and Missouri, with her lines running as far North as the centres of Ohio, Indiana and Illinois, was given up to Slavery and a Slave representation in Congress. Arkansas, ere long, was added. *Then* the soil fitted for Slave labor, and accessible for Slave settlement, seemed exhausted, and the South, for a while, stood still to witness the onward march of the North. Even these enormous accessions of domain scarcely served to maintain the Southern preponderance in the Government, so rapidly had the Free States grown in population, both in the old and the three new States added.

Thus matters stood in 1840. The census of that year aroused the South to renewed efforts for further extension of the "peculiar institution." To the North they could not go, for soil, climate and sentiment were alike inimical to the existence of slaves in the territory of Iowa. To the West they could not proceed, for Government had pledged that section to the Indians. Conquest alone must come to the rescue. Texas, an immense domain, fitted to make five States, must be won. The scheme of its "annexation" was soon conceived and perfected. War was declared upon a flimsy pretext against a weak and distracted neighbor.—One

hundred millions of dollars were spent, and Texas was given over to the Slave power to be made into States, as emergencies should require; while New Mexico, with her boundless plains, lay to the West, to await the necessity for her introduction to a Slave proprietary.

But, even this absorption of an empire did not suffice. The census of 1850 again sent consternation into the "balance of power" ranks, and excited their leaders to renewed zeal. More territory *must* be had, at any sacrifice. Kansas and Nebraska alone offered the soil, but there stood the Gibraltar of Henry Clay's "Compromise Act" of 1821, guaranteeing all that region to Freedom forever. Still, the emergency was imperative. Kansas at least must be represented on the floors of Congress by a Slave delegation. The tremendous strides of the North, in Iowa, Wisconsin, Michigan and Minnesota, threatened, by their very growth, to leap at once into an uncontrolled majority. Kansas lost, all was lost, since Texas could not, for years, gain population enough to allow of her subdivision into several States.

The repeal of the Missouri Compromise Act alone would open the Territory for Slave incursion. That repeal was made, through the co-operation of the Northern Democratic party with the South. But, the hand of Destiny seemed to interfere. The entire scheme of Southern settlement miscarried, and Kansas not only became a Free State, but the struggle to make it such called into existence the Republican party, which, in a brief period, elected its candidate to the Chief Magistracy—so fatally were the tables turned.

Dismayed at the storm created by the effort to secure Kansas, mortified at their defeat, cut off from any further extension of Slave representation, the Southern States saw before them their long-apprehended disaster of a minority in the Government. If they remained in the Union it must be as the weaker half. At this not only their pride revolted, but, as it appeared to them, their material interests forbade submission. With some hesitancy, as if feeling the way, the long contemplated scheme of Southern independence was revived and its agitation determinedly entered upon.

But, the love of the Union was so strong in the hearts of a majority in the Southern States—the disinclination to encounter the hazards of a revolution was so apparent—that it became necessary for the leaders to act with great circumspection in setting on foot their movement for disunion. The old themes of wrongs endured—of slaves stolen—of unjust imposition of taxes by way of tariff levies—of unconstitutional Personal Liberty acts by Northern States—were augmented in force by the evident fact that the institution of Slavery was to be excluded from the Territories in the West, thus seemingly denying the rights of the South in the unsettled and common domain; while, to crown the list of motives for non-submission, the North had become so far estranged and inimical to the South as to elect a "sectional" President. This catalogue of indignities, if properly represented to the excitable and sensitive people of the South, could not fail to answer the ends designed; hence, separately and collectively, they have been put forward as the real causes of the uprising and of the abjuration of the Constitution, and have been so often and variously repeated that the original and prime cause of the movement is almost ignored.

In contemplating the events which have transpired in the attempt to dismember the Union, it is necessary to accept the bill of complaint preferred in the various resolutions, ordinances and declarations of the seceded States' Conventions and Legislatures; but, a comprehensive understanding of the revolution can only be had by striking at the ultimate causes which *originated* the desire for a separate Confederacy. Even though those first causes may not be confessed nor set forth by any of the parties implicated—a confession which would concede defeat in the struggle for power—they nevertheless are readily demonstrable.

The increase in the population of the country since 1800 has been in singularly regular ratio. Thus, for 1810 it was entered as being 36.45 per cent.; 1820, 33.13; 1830, 33.49; 1840, 32.67; 1850, 35.87; 1860, 35.53, making the average 34.57, or nearly 3½ per

Fictitious Causes.

The Increase of Population.

cent. per annum. This ratio being so definitively marked, rendered it an easy matter for any section to indicate, in advance, its population and consequent Congressional representation. Hence, the South, growing more slowly in population than the energetic, competitive North, discovering itself beaten in the race of numbers, sought to make up in territorial acquisition what it failed to obtain by popular increase.

In 1850 it was conclusive that the South must be cast into a minority if new acquisitions were not secured during the decade following. The attempt was made on Kansas and failed; and the South has had to witness the long threatened ascendancy of the Free States in the returns and apportionment of the census of 1860, with no power to modify the result.

To apprehend, at a glance, the particular strength of each section of the Union, and thus to demonstrate the fact of the ascendancy of the Free States, we will classify the States, and give the Congressional representation of each, under the new apportionment rendered necessary in order to keep the number of Representatives in Congress down to 233.

NEW ENGLAND STATES.

States.	1850.	1860.	Reps.	Loss.	Gain.
Maine.....	583,169	628,276	5	1	0
New Hampshire.....	317,976	326,072	3	0	0
Vermont.....	314,120	315,116	2	1	0
Massachusetts.....	994,514	1,231,065	10	1	0
Rhode Island.....	147,545	174,621	1	1	0
Connecticut.....	370,792	460,151	4	0	0

Total.....2,728,116 3,135,301 25 4 0
Gain in 10 years, 407,185, or 15 per cent nearly.

New England, it will thus be seen, loses four members of Congress, notwithstanding her gain has been over four hundred thousand in population.

MIDDLE STATES.

States.	1850.	1860.	Reps.	Loss.	Gain.
New York.....	3,097,334	3,887,542	31	2	0
New Jersey.....	489,791	672,031	5	0	0
Pennsylvania.....	2,311,728	2,906,370	23	2	0

Total.....5,898,911 7,465,943 59 4 0
Gain in 10 ys. 1,566,972, or 26½ per cent.

Here we have still more remarkable results. Notwithstanding the enormous increase of over one and a half million, in pop-

ulation, these three States lose four Representatives. New York alone has nearly *double* the free population of the six original "Seceded States," and yet she has only thirty-one Representatives to their twenty-eight. This simple fact proves how largely *slaves are represented in Congress*—the negroes entering into "population" in the proportion of five negroes for three in count, thus obtaining a Congressional apportionment without any of the rights of citizenship appertaining to them. If the Slave States were apportioned Representatives on their free white population alone, their representation in Congress would decrease about forty per cent; or, as Slaves are *property*, if the Free States were represented on property in the apportionment of three persons for every five thousand dollars, their Congressional delegations would immeasurably be increased.*

NORTH-WESTERN STATES.

States.	1850.	1860.	Reps.	Loss.	Gain.
Ohio.....	1,980,429	2,339,599	18	3	0
Michigan....	397,654	749,112	6	0	2
Indiana.....	968,416	1,350,479	11	0	0
Illinois.....	851,470	1,711,753	13	0	4
Wisconsin....	305,391	775,873	6	0	3
Iowa.....	192,214	674,943	5	0	3
Minnesota....	6,077	162,022	1	1	0
Kansas.....	.....	107,110	1	0	0

Total... 4,721,551 7,870,896 61 4 12
Gain for 10 ys. 3,149,345, or about 67 per cent.

Ohio, notwithstanding her heavy gain, loses three Representatives, though the North-Western States collectively add nine to their delegation. *Ohio alone has more free white population than the whole six States of South Carolina, Georgia, Alabama, Florida, Mississippi, and Louisiana*; yet she has but *eighteen*

* There is something so paradoxical in the constructive and the active relations of the Slave to the government as to excite the wonder of a foreigner. Thus, by the Constitution, the principle of representation on property is forbidden, yet it gives the Slave States a representation as stated. This would seem to settle, beyond question, the fact that the Constitution does not recognize Slaves *as* property. Yet, here comes the decision of the United States Supreme Court, in the celebrated Dred Scott Slave Case, that Slaves *are* property, and property only, not men. It will be hard for a stickler for consistency to reconcile this discordance. He will have to be satisfied with the *fact* without understanding its propriety.

Representatives in Congress, while they have *twenty-eight*. Few even of our own people realize how enormous this discrepancy has been; but, figures here are incontrovertible witnesses, and prove how largely *Slaves* are represented in our National councils. The fact thus expressed it is necessary to weigh well in any argument which may arise on the relative *favours* which the Constitution bestows upon particular sections.

PACIFIC STATES.

States.	1850.	1860.	Reps.	Loss.	Gain.
California....	92,597	380,015	3	0	1
Oregon.....	12,294	52,464	1	0	0
Total.....	104,891	432,479	4	0	1

Gain in 10 years 326,588, or nearly 310 per cent.

Both of these States are loyal to the Union and are classed with the Free States in all comparative estimates.

THE LOYAL SLAVE STATES.

	1860.		Reps.	Loss.	Gain.
	Free.	Slave.			
Maryland....	599,848	87,188	5	1	0
Kentucky....	930,223	225,490	8	2	0
Missouri.....	1,058,352	114,965	9	0	0
Delaware....	110,420	1,798	1	0	0
Total.....	2,698,841	429,441	23	3	0

SECEDED BORDER SLAVE STATES.

Virginia.....	1,105,196	490,887	11	2	0
N. Carolina..	661,588	331,081	7	1	0
Tennessee....	834,036	275,784	8	2	0
Arkansas....	324,323	111,104	3	0	1
Total.....	2,925,143	1,208,856	29	5	1

SECEDED COTTON GROWING STATES.

S. Carolina...	301,271	402,541	4	2	0
Georgia.....	595,097	462,230	7	1	0
Florida.....	78,686	61,753	1	0	0
Alabama.....	529,164	435,132	6	1	0
Mississippi...	354,699	436,696	5	0	0
Louisiana....	376,913	332,520	5	0	1
Texas.....	420,651	180,388	4	0	2
Total.....	2,656,481	2,311,260	32	4	3

This classification gives interesting results, which it will be well for the reader to consider. Thus, the total free white population of the eleven seceded States is 5,581,630, or 1,884,313 *less* than the population of the three Middle States alone, or 2,389,266 *less* than the eight North Western States.

Or, add the aggregate as follows:—

New England States.....	3,135,301
Middle States.....	7,465,943
North Western States.....	7,870,896
Pacific States.....	432,479
The Free Territories.....	213,292

Total pop. of Free States and Territories...	19,117,911
Add loyal Slave States.....	2,698,841

Total loyal population.....	21,816,752
Eleven Seceded States, disloyal.....	5,581,630
Excess of loyal population.....	16,235,122

These are the figures deduced from the Census returns for 1860, prepared under the supervision of a Southern man. That they are correct admits of no doubt. The results, gratifying to the North, disconcert the South, since they prove it to be helplessly in the minority. In the Union the power of the Slave States is forever gone, except, acting as a unit, they can take advantage of party divisions in the North to name certain single measures, or elect certain men; but, without a very strong co-operating party in the Free States, the Pro-Slavery propagandists are perfectly powerless to secure more soil, to command the Executive, to direct the revenues and appropriations, or to control legislation in their favor. The Constitution may be regarded by the Northern States to the letter—the Fugitive Slave Act may be enforced against every runaway negro slave—the right to slave transit through the Free States may be conceded; but these will not avail to appease the Southern mind. The facts of their minority—that Slavery is circumscribed in the Union—that the Free soil and Free labor party is immensely in the ascendant—impelled the Southern people into the scheme for founding a pure Slave Confederacy, and no “compromise” will restore them to the Union except it be such a compromise as will abjure the old Constitution so far as to give the Slave States an *equal* share in the General Government at *all* times, an equal share in the common territory, the right of Slave transit through Free soil, the use of local officers and jails to arrest fugitives, &c., &c. Other terms than these they will not, cannot, peaceably accept, and if brought back into the Union again it must be *vi et armis*.

CHAPTER II.

THE OBJECTS OF SECESSION.

Pre-determination to
Secede.

As early as in 1858, the results of the new census having been anticipated, the leaders of the rebellion began to canvass the subject of immediate secession. Jefferson Davis, in a speech at Jackson, Mississippi, in the fall of that year, assumed the position of a direct secession advocate. He said :

"If an Abolitionist be chosen President of the United States, you will have presented to you the question of whether you will permit the Government to pass into the hands of your avowed and implacable enemies? Without pausing for an answer, I will state my own position to be, that such a result would be a species of revolution by which the purposes of the Government would be destroyed, and the observance of its mere forms entitled to no respect. In that event, in such a manner as should be most expedient, I should deem it your duty to provide for your safety outside of the Union, with those who have already shown the will, and would have acquired the power, to deprive you of your birthright, and to reduce you to worse than the Colonial dependence of your fathers."

The sentiment, it will be seen, covered the whole ground of the right and propriety of a secession from the Union. "If an Abolitionist be chosen President," proves that the contingency of a Northern triumph was apprehended, and what follows indicates the line of argument to be pursued before the people in justification of the movement for a dissolution of the Confederacy. If an "Abolitionist" had *not* been elected? Probably the contemplated movement would not have been made in 1860, as the right *pretext* would have been wanting with which to go before the people. Not that the election of *any* President could in any way change the Constitution, could control Congress, could affect that bulwark of our institutions, the United States Supreme Court, could deprive any State, or any people, or any man of a birth-right:—the President being the mere temporary head of the nation, under Congress, under the Su-

preme Court, under the laws, and under the people, has no power to oppress or wrong any section, and his election could afford no just cause for alarm, even if he were a Monarchist. None better knew this than the speaker quoted from above; but he, and all those who have since acted with him, chose to assume a fallacy as a fact, in order to aid and forward the *pre-determined* design of a dissolution of the Union; and the election of an "Abolitionist"—that is, any Northern man, with Northern or Free-soil principles—was to be the signal for the effort to cast off allegiance to the Constitution.

Governor Hicks, in his address to the people of Maryland, said:—"We are told by the leading spirits of the South Carolina Convention, that, neither the election of Mr. Lincoln, nor the non-execution of the Fugitive Slave law, nor both combined, constitute their grievances. They declare that the real cause of their discontent dates as far back as 1833." We shall give the South Carolina Declaration of Causes, in its proper order in this History, and quote from Governor Hicks, to show how a Southerner, *not* a Secessionist, viewed and understood the movement. Mr. Davis, in his address to the Senate, (January 21st,) after arguing that the equality spoken of in the Declaration of Independence was the equality of a *class of political rights*, said :

Southern View of
Rights.

"But *we* have proclaimed our independence. This is done with no hostility or any desire to injure any section of the country, nor even for our pecuniary benefit, but from the high and solid foundation of defending and protecting the rights we inherited, and transmitting them unshorn to our posterity."

As the Declaration, in his view, secured only a class of *political rights*, the succeeding avowal that the step of secession was taken "from the high and *solid* foundation of defending and protecting the rights we inherited," &c.,

gives the reader a glimpse of the true purposes in view—not to recognize an equality of rights of persons, but to secure, to the dominant class, the “rights” it “inherited.”

All this, however, is not only clearly stated by the Vice-President of the “Confederate States,” but the curtain is drawn aside, and we are permitted to see the moving *will* of the ambitious scheme of the Secessionists. Mr. Stephens’ exposition of the powers of their Constitution and the purposes had in view in its formation, was made at Savannah, March 21st, 1861. We may, therefore, here give place to such portions of his speech as will serve to illustrate our chapter subject, viz.:—“The objects of Secession,” which it is highly important to understand as a preliminary to a just comprehension of all the events which have followed upon the rupture of old relations:

“The new Constitution has put at rest forever all the agitating questions relating to our peculiar institutions—African Slavery as it exists among us—the proper status of the negro in our form of civilization. This was the immediate cause of the late rupture and present revolution. Jefferson, in his forecast, had anticipated this as the ‘rock upon which the old Union would split.’ He was right. What was conjecture with him, is now a realized fact. But whether he fully comprehended the great truth upon which that rock stood and stands, may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old Constitution, were that the enslavement of the African was in violation of the laws of nature: that it was wrong in principle, socially, morally, and politically. It was an evil they knew not well how to deal with, but the general opinion of the men of that day was, that somehow or other, in the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the Constitution, was the prevailing idea at the time. The Constitution, it is true, secured every essential guarantee to the institution while it should last, and hence no argument can be justly used against the constitutional guarantees thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the idea of a government built upon it; when the ‘storm came and the wind blew, it fell.’

“Our new Government is founded upon exactly

the opposite idea; its foundations are laid, its corner-stone rests, upon the great truth that the negro is not equal to the white man. That Slavery—subordination to the superior race, is his natural and moral condition. This, our new Government, is the first, in the history of the world, based upon this great physical and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well, that this truth was not generally admitted, even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics. * * *

“In the conflict thus far, success has been, on our side, complete throughout the length and breadth of the Confederate States. It is upon this, as I have stated, our actual fabric is firmly planted; and I cannot permit myself to doubt the ultimate success of a full recognition of this principle throughout the civilized and enlightened world.

“As I have stated, the truth of this principle may be slow in development, as all truths are, and ever have been in the various branches of science. It was so with the principles announced by Gallileo—it was so with Adam Smith and his principles of political economy—it was so with Harvey and his theory of the circulation of the blood. It is stated that not a single one of the medical profession, living at the time of the announcement of the truths made by him, admitted them. Now they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgement of the truths upon which our system rests. It is the first government ever instituted upon principles of strict conformity to nature, and the ordination of Providence, in furnishing the materials of human society. Many governments have been founded upon the principle of certain classes; but the classes thus enslaved, were of the same race, and in violation of the laws of nature. Our system commits no such violation of nature’s laws. The negro, by nature, or by the curse against Canaan, is fitted for that condition which he occupies in our system. The architect, in the construction of buildings, lays the foundation with the proper materials, the granite; then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it, and by experience we know that it is best, not only for the superior, but for the inferior race that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of His ordinances, or to question them. For His own purposes He has made one race

to differ from another, as He has made 'one star to differ from another star in glory.'

"The great objects of humanity are best attained when conformed to His laws and decrees, in the formation of governments, as well as in all things else. Our Confederacy is founded upon principles in strict conformity with these laws. This stone which was rejected by the first builders 'is become the chief stone of the corner' in our new edifice.

"The progress of disintegration in the old Union may be expected to go on with almost absolute cer-

tainty. We are now the nucleus of a growing power, which, if we are true to ourselves, our destiny and high mission, will become the controlling power on this continent. To what extent accessions will go on in the process of time, or where it will end, the future will determine."

This sets at rest all doubts in regard to the *distinctive objects* in view in severing relations with the old Confederacy, while it also demonstrates the moral and political spirit which will direct the new Government.

CHAPTER III.

S P R E A D O F T H E S E C E S S I O N S E N T I M E N T .

Treasonable Utter-
ances.

ELECTIONS held in the several Northern States, during September and October, indicated pretty clearly that Mr. Lincoln, the Republican nominee, would carry each of those States, with a fair prospect, also, of obtaining a majority in California and Oregon. This indication served to awaken the slumbering disunion feeling, and various projects were agitated, by Southern papers, "to meet a common danger." In South Carolina there was but one sentiment—that of secession. The election of a Republican to the Presidency was not urged as the sole, or even the leading, cause of the disunion feeling; but the course of events seemed to have demonstrated that the people were rife for the formation of a Slave Confederacy, and the leaders prepared, even before the 6th of November, the programme of this disunion movement.

As early as 1856, one of the South Carolina representatives in Congress, Mr. Preston Brooks—who, but a few weeks previously, had assaulted United States Senator Sumner—in a speech made at an ovation given in his honor said among other things:—

"I tell you, fellow-citizens, from the bottom of my heart, that the only mode which I

think available for meeting it (the issue) is just to tear the Constitution of the United States, trample it under foot, and form a Southern Confederacy, every State of which shall be a slaveholding State. I believe it as I stand in the face of my Maker—I believe it on my responsibility to you as your honored representative that the only hope of the South is in the South, and that the only available means of making that hope effective is to cut asunder the bonds that tie us together, and take our separate position in the family of nations."

This speech, violent as it was considered at the time, in the North, really reflected the sentiment of his State. A sympathy with that sentiment prevailed, to a great extent, throughout all the Cotton States; but, up to the date named, (Nov. 6th,) except in South Carolina, no action was taken which looked to immediate secession. Even in Virginia the feeling against "submission" was so strong that Governor Letcher, in his Message to the Legislature said:—"It is useless to attempt to conceal the fact, that in the present temper of the Southern people, it (the election of a Republican President) cannot and will not be submitted to. * * The idea of permitting such a man to have the

control and direction of the army and navy of the United States, and the appointment of high judicial and executive officers, post-masters included, cannot be entertained by the South for a moment."

The Democratic party, by being divided upon two candidates, rendered the Republican nominee's chances all the better; while a fourth, or "Union" candidate, in the person of John Bell, of Tennessee, being at a late hour brought forward, added certainty to Mr. Lincoln's hopes of success, since none of the candidates named against him could, to any material degree, distract the Republican vote.

The election resulted, as gloomily anticipated by the Southern States, in Mr. Lincoln's triumph. The vote stood:—

STATES.	Rep. Lincoln.	Dem. Douglas.	Dem. Breck'ee.	Union. Bell.
Alabama	—	13,651	48,831	27,875
Arkansas	—	5,227	28,732	20,094
California	39,173	38,516	34,334	6,817
Connecticut ...	43,792	15,522	14,641	3,291
Delaware	3,815	1,023	7,337	3,864
Florida.	—	367	8,543	5,437
Georgia.	—	11,599	51,889	42,886
Illinois*	172,161	160,215	2,404	4,193
Indiana*	139,033	115,509	12,295	5,306
Iowa*	70,409	55,111	1,048	1,673
Kentucky	1,364	25,651	53,143	66,058
Louisiana	—	7,625	22,681	20,204
Maine*	62,111	76,693	6,398	2,046
Maryland	2,294	5,966	42,482	41,760
Massachu's...*	106,533	34,372	5,939	22,331
Michigan	88,480	65,057	805	405
Minnesota	22,069	11,920	748	62
Mississippi ...	—	3,283	40,797	25,040
Missouri	17,028	58,801	31,317	58,372
N. Hampshire. .	37,519	25,881	2,112	441
New Jersey ..	58,324	62,801	—	—
New York	353,804	303,329	—	—
N. Carolina ...	—	2,701	48,539	44,990
Ohio*	231,610	187,252	11,405	12,194
Oregon*	5,270	3,951	5,006	183
Pennsylvania. .	268,030	16,765	178,871	12,776
Rhode Island. .	12,244	7,707	—	—
S. Carolina....	Electors chosen by Legislature.			
Tennessee	—	11,350	64,709	69,274
Texas*	—	—	47,548	15,438
Vermont*	33,808	6,849	218	1,969
Virginia*	1,929	1,6290	74,323	74,681
Wisconsin	86,110	65,021	888	161
Total.....	1,857,610	1,365,976	847,953	590,631

For Abraham Lincoln, of Illinois, and Hannibal Hamlin, of Maine, Vice-President. 180
 For Stephen Arnold Douglas, of Illinois, President, and Herschel V. Johnson, of Georgia, Vice-President. 12
 For John J. Breckenridge, of Kentucky, President, and Joseph Lane, of Oregon, Vice-President. 72

For John Bell, of Tennessee, President, and Edward Everett, of Massachusetts, Vice-President. 39
 303

The popular vote was largely *against* Mr. Lincoln, as will be perceived. Had all the opposition been united the vote would have stood:—

Opposition 2,804,560
 For the Republican candidates. 1,857,610

Majority against the Republicans. 946,950

Or, had the Democracy been united, the majority would have been heavily against the Republicans, viz:—

For Douglas and Breckenridge tickets. 2,213,929
 For the Republican candidates. 1,857,610

Majority in favor of the Democracy. 356,319

These figures are of particular interest as proving The Democratic Conventions. that the election was lost

to the Democrats by their own divisions, for which the South alone was responsible. The Charleston Convention, (April 23d,) packed with disunionists, sought to drive the Northern Democrats into declarations on the subject of Slavery at once distasteful and hostile to their convictions; and, by their efforts to force Mr. Douglas from the list of candidates, incurred the hostility of his friends to such a degree that further co-operation was impossible without a compromise of self-respect. The malcontents, thwarted in their plans for the demoralization of the Northern Democrats, on the question of Slavery, withdrew, or "seceded," to prevent a nomination. The Convention failing of a nomination adjourned to meet at Baltimore, June 18th—the "Seceders" having adjourned to meet at Richmond, June 11th. The Convention at Baltimore was beset by the "Seceders" and their unaccredited delegates; but, after much discussion and voting they were ruled out, when Mr. Douglas received the nomination. The "Seceders," headed by Caleb Cushing, gathered at the Front Street Theatre, in Baltimore and nominated John C. Breckenridge. Twelve States were not represented at all, in that gathering. The "Seceders" at Richmond—composed entirely of delegates from the Cotton growing States, with one from Tennessee and one from Virginia—having ad-

journed to await the action of the Baltimore Convention, "ratified" the nomination of Mr. Breckenridge, who thus became a candidate of the extremists, or disunionists. That Mr. Douglas was the regular and just nominee is evident from the fullness of the delegations in the Convention and by the popular vote.

The election of Mr. Lincoln was, therefore, owing to the disorganization of the opposition by the Southern men, and that these disorganizers should have proceeded to organize a scheme of treason against the Government, using their defeat as a pretext, demonstrates the wisdom of the course pursued by the Douglas men in repudiating the dictation of the extremists.

For the election of a Republican President the country is indebted to the extremists of the South.

South Carolina to lead.

From the unity of sentiment which prevailed in South Carolina on the question of a dissolution of her relations with the Union, that State was looked to by the Secessionists to take the initiative in the rebellion. She did not shrink from the responsibility. Before the day of election her Governor had laid a strong disunion message before the Legislature, advising the calling of a Convention of Delegates to act for the State in dissolving her relations with the Union.

How the Election was regarded.

Such dispatches as the following flew over the wires on the days succeeding the Presidential election:—

RALEIGH, N. C., Wednesday, Nov. 7, 1860.

The Governor and Council are in session. The people are very much excited. North Carolina is ready to secede.

COLUMBIA, S. C., Wednesday, Nov. 7, 1860.

William W. Boyce, member of Congress, spoke from the steps of the Congaree House, on Tuesday night, urging secession in case of Mr. Lincoln's election. He was followed by other prominent Carolinians.

MONTGOMERY, Ala., Wednesday, Nov. 7, 1860.

Large numbers of the Bell men, headed by T. H. Watts, have declared for secession, since the announcement of Lincoln's election. The State will undoubtedly secede.

AUGUSTA, Ga., Wednesday, Nov. 7, 1860.

The *Charleston Mercury* says the news of Lincoln's

election at Charleston, was received with long-continued cheering for a Southern confederacy.

WASHINGTON, D. C., Wednesday, Nov. 7, 1860.

There is a good deal of excitement here. Several extreme Southern men in office have donned the cockade, and declared themselves ready to march South.

COLUMBIA, S. C., Thursday, Nov. 8th.

The Speaker of the House last night received a dispatch from Virginia, tendering the services of a volunteer corps in the event of South Carolina's secession. Edmund Ruffin spoke last night. He said Southern independence could only be secured by the secession of South Carolina. His speech was rapturously applauded.

CHARLESTON, S. C., Thursday, Nov. 7, 1860.

The bark *James Gray*, owned by Cushing's Boston Line, lying at our wharves, under instructions from her owners, has hoisted the Palmetto flag, and fired a salute of fifteen guns.

NEW ORLEANS, La., Thursday, Nov. 8, 1860.

Placards are posted about the city, calling a Convention of those favorable to the organization of a corps of "Minute Men."

WASHINGTON, D. C., Friday, Nov. 9, 1860.

The President is still in doubt what to do. He is apprehensive of troubles in the South, but does not know how to meet them. His feelings are with the South, but he is afraid to assist them openly.

A large quantity of arms was yesterday shipped from our arsenal to the South. But the place of destination remains a secret.

The proclamation of Gov. Brown, of Georgia, has created much excitement. It is the most unconstitutional manifesto ever published in the United States, and it depends now upon the President whether he will use his authority, and enforce the laws of the United States.

Each day added to the intensity of the excitement.

Growth of the Secession Sentiment

The press of the South,

early in November, was widely divided, even in the Gulf States. In New Orleans, the majority of press and people seemed to regard the threats of disunion with disfavor. So in Savannah, Mobile, Memphis, Nashville, &c., there were found stern and strong voices for the Union. "Wait until Mr. Lincoln is inaugurated, and commits the overt act," the Union men urged; but, it soon became evident that the antipathy to the North and to the Union gained in fervor; and, day by day, the public mind of the South became more reconciled to the views of the few men who assumed a leadership in the crisis, viz.: Wm.

L. Yancey, Jefferson Davis, Robert Toombs, U. S. Senator Iverson, U. S. Senator Benjamin, U. S. Senator Wigfall, U. S. Senator Clingman, U. S. Senator Clay, Jr., and Messrs. Mason, Wise and Hunter, of Virginia.

By the middle of November the progress of the movement was perceptible, as will be indicated by the dispatches of the 15th, viz. :—

CHARLESTON, S. C.

South Carolina is decidedly in earnest. There is but one voice here now; it is for secession. Union and conservative parties are dead. Visible excitement has abated, but resolves are more intense than ever. South Carolinians are done arguing; they act now. The Mayor of Charleston has forbidden stage passengers to land, unless steamship companies enter into bonds to support them in event of becoming incumbances.

MONTGOMERY, Ala.

Gov. Moore, of Alabama, awaits the election of Lincoln by the electoral college, on the fifth of December, before calling a State Convention. He will issue his call on the 6th of December, fixing election of delegates for the 24th. The Convention assembles 7th January, 1861. The Convention will be composed of one hundred members. From the indications given in private correspondence from leading men in each county, at least seventy-five members of the Convention will be for unconditional disunion.

MILLEDGEVILLE, Ga.

The leading men of all parties had a conference to-day, and unanimously agreed to a State Convention. They recommend resistance, the time and mode to be settled by the Convention. Good feeling prevailed.

TALLAHASSEE, Fla.

"Florida is with the gallant Palmetto flag," said a dispatch from Governor Perry, of that State, to Governor Gist, of South Carolina.

RICHMOND, Va.

Governor Letcher has called an extra session of the Legislature for the 7th of January, to take into consideration the condition of public affairs, and determine calmly and wisely what action is necessary in this emergency.

November 10th, in the South Carolina Acts. South Carolina Legislature, important action was had. A bill was reported for the immediate enrollment of 10,000 volunteers. November 21st was fixed as a day of humiliation, fasting and prayer. The resignations of Messrs. Hammond and Chestnut, United States Senators, were accepted "enthusiastically." The Con-

vention bill was adopted—December 6th being fixed as the day for the election of delegates, the Convention to meet December 17th.

These "precipitate" demonstrations gave especial alarm to the Union men in the South, who were rapidly becoming powerless before the growing feeling against any arrangement with the North. In Virginia, although the disunion sentiment largely prevailed, the disinclination to precipitate steps was so strong as to call forth such protests as the following, from the *Alexandria Gazette*, against the course of South Carolina:

"Throwing aside the question of Constitutional right to secede at all, there is something due to comity, to neighborhood associations, to propriety. No man has a 'right,' by setting fire to his own house, to endanger the house of his neighbor. Virginia, in this Union, or out of it as a sovereign, and as potential as South Carolina, and has her own interests to look after, her own rights to be secured, her own feelings to be respected—and she will demand this from South Carolina, just as much as she would from any other State in the present United States. It would seem as if in the course now pursued, fearing the conservative action of Virginia, and not desiring, in truth, 'a United South,' certain Cotton States were for going off by themselves, for the mere sake of 'forming a Cotton Confederacy,' totally irrespective of other Southern States which do not recognize Cotton as their King, and totally regardless of any interests or any views but their own. It used to be a "United South!" It was formerly Disunion and Secession for aggression by the General Government. It is now a disunited South—secession on account of the untoward result of a Presidential election! This is not the way to uphold the rights of the States, and the rights of the South. It is weakening our own position, and destroying our own strength."

To this view of the case the Charleston *Mercury* replied :—

The Iron Rule.

"Virginia and the other frontier States may as well at once understand their position with the Cotton States. They are not expected to aid the Cotton States in protecting themselves and redeeming their liberties. They will practically aid the Northern States in attempting to obtain in the South an acquiescence in the rule of Abolitionists at Washington. The Southern States, however, will disregard their counsels. They want no conference but in the convention which will assemble to frame the Constitution, and complete the organization of a Southern

Confederacy. They intend to secede from the Union, and construct a Union amongst themselves, and will be glad to find Virginia and the other Border States in counsel with them, after this great Revolution. But if these value their own dignity, or respect our wishes, let them keep aloof from us until they are prepared to dissolve their connection with the present Union, and to unite their destinies with that of the other Southern States. If they will not be our friends, let them not be our enemies, by unsolicited and undesired efforts under whatever amiable pretext—of preserving an abolished Union, to subject us to the sectional despotism of a consolidated government under the control of abolitionists at Washington. The day for new guarantees is gone. Henceforth we are two peoples."

The Conference demanded by Virginia looked to a united effort before Congress, and all action for secession was to be withheld until *after* the failure to obtain from Congress the necessary guarantees. It was understood by her leading men that the Republicans in Congress would patiently and willingly consider plans for compromise, and Virginia, if she could stay the revolution before it passed beyond the actual point of secession, had fair hopes of still preserving the Union. The programme determined upon by the Virginia leaders embraced, first, a repeal of the statutes nullifying the Fugitive Slave law by those States which have passed such statutes, with a guarantee of a faithful enforcement of that law in the future; second, a concession that the Constitution authorizes the carrying of slaves into the common territory, and consequent protection for slave property therein; and, third, that neither Congress nor the Executive shall interfere with slavery in the States or Territories, except for its protection in the latter when necessary.

The conservative element in the South, it was hoped, would rally around a proposition of this kind; but, no concerted sympathy was expressed, and all hopes of the proposed Conference were abandoned at an early day. Under the influence of an ever-increasing sentiment for disunion and "further independence," the Unionists in Alabama, Georgia, and Mississippi were soon left in the small minority. The immediate Secessionists began at length to speak of them derisively as "submissionists," began to use them discourteously at first, but soon proceeded to intimidate by threats. Before South Carolina had actually seceded, in the cotton growing States a strong Unionist was regarded as an enemy to the South, and was treated with such opposition as made it impolitic for a citizen to speak his sentiments if they were averse to precipitate action. It was given out, and became the generally received opinion, that "in view of the increasing power of the Disunionists in the South, the conservatives of that quarter, headed by Henry S. Foote of Mississippi, Alexander H. Stephens of Georgia, Isaac E. Morse of Louisiana, Gen. Sam Houston of Texas, George W. Jones of Tennessee, the Hon. John M. Botts, Timothy Rives, and William C. Rives of Virginia, Albert Rust of Arkansas, and James Guthrie of Kentucky, intend issuing a manifesto, assuring the conservative people of the Free States that in no event will the constitutional election of Mr. Lincoln be regarded as a cause for breaking up the Union, unless he should attack the rights of the South." But, if such an address ever was contemplated or proposed, it never was published.

Terms of Settlement
to be proposed.

CHAPTER IV.

ACTION OF GOVERNORS, LEGISLATURES, &C.

Georgia Convention ordered.
ALL attention now became centered in the action of the Southern State Legislatures. Georgia followed South Carolina in calling a Convention. A special message of Governor Brown had paved the way for such legislation as placed the State in an attitude

of offence. The bill appropriating one million dollars, to arm and equip the State, became a law, November 18th. On the 18th the Convention bill passed unanimously—the election of delegates being ordered for January 2d (1861); to meet Jan. 9th. The preamble of the Convention bill read:—

Whereas, The present crisis in national affairs, in the judgment of this General Assembly, demands resistance; and

Whereas, It is the privilege of the people to determine the mode, measure, and time of such resistance: therefore,

The General Assembly enacts that the Governor issue his proclamation, ordering the election on the 2d of January.

Its powers were defined in the fourth section of the bill, which read:—"Said Convention, when assembled, may consider all grievances impairing or affecting the equality of rights of the people of Georgia as members of the United States, and determine the mode, measure, and time of redress."

Mississippi Legislature
Convened.

The Governor of Mississippi called the Legislature of that State to meet on

the 26th of November. His proclamation read:—

"*Whereas*, The people of the Non-Slaveholding States have in various forms, declared purposes hostile to the institutions of the Slaveholding States, and the State Governments of nearly all the Northern States have evinced a settled purpose to evade their constitutional obligations, and disregard their oaths in carrying on this war on the rights and institutions of Southern States; and

"*Whereas*, The recent election of Messrs. Lincoln and Hamlin demonstrates that those who neither reverence the Constitution, obey the laws, nor regard their oaths, have now the power to elect to the highest offices in the Confederacy men who sympathize with them in all their mad zeal to destroy the peace, property and prosperity of the Southern section, and who will use the powers of the Federal Government to defeat all the purposes for which it was formed; and

"*Whereas*, The dearest rights of the people depend for protection, under our Constitution, on the fidelity to their oaths of those who administer the Government:

"Now, therefore, that the State of Mississippi may be enabled to take into consideration the propriety and necessity of providing surer and better safeguards for the lives, liberties, and property of her citizens than have been found, or are to be hoped for, in Black Republican oaths:

"I, John J. Pettus, Governor of the State of Mississippi, exercising the powers in me vested," &c., &c.

Virginia Legislature
Convened.

Governor Letcher's proclamation next followed.

He used, among other expressions, the following:—

"*Whereas*, In consequence of the appointment of Electors, a majority of whom are known to be favorable to the election of sectional candidates as President, and Vice-President of the United States, whose principles and views are believed (by a large portion of the Southern States) to be in direct hostility to their constitutional rights and interests, and in consequence thereof great excitement prevails in the public mind, and prudence requires that the representatives of the people of this Commonwealth should take into consideration the condition of public affairs, and determine, calmly and wisely, what action is necessary in this emergency, therefore, I, John Letcher, Governor, by virtue of the authority aforesaid, do hereby require the Senators and Delegates of the two Houses of the General Assembly of the Commonwealth to convene at the Capitol, in the city of Richmond, on Monday, the 7th day of January, A. D. 1861, at 12 o'clock, M., to legislate upon such subjects as they may deem necessary and proper."

This was accompanied by an announcement in the *Dispatch*, of Richmond, to the effect that the State could efficiently arm 25,000 troops. The editor further stated that she had at least sixty bronze and rifled field pieces and howitzers. "A contract has been made for 3,000 shells and shrapnells, in addition to those purchased with the Parrott guns. Five hundred barrels of Dupont powder has been purchased and stored in magazines built for the purpose. The model of a new Virginia musket is determined on. Other warlike preparations are also in progress." The *Dispatch*, referring to the Governor's call, and the crisis which the Legislature would have to meet, said:—

"By the time they meet, the crisis will be sufficiently developed, no doubt, to demand some action on the part of Virginia. She will then find, very probably, that the question for her to debate is ripe. Ten days have very much changed the appearance of things. The signs from the South leave little room to hope that the Union will long remain unbroken. If there is a possibility of preserving it, or of prevailing upon States which may secede to rejoin the Union, we cannot long postpone deliberation upon the means by which either is to be done. There may be yet another question for Virginia, and that is, if secession cannot be avoided, and the Seceding States cannot be induced to return, what course is left her to pursue? It is probable that Governor Letcher will renew his proposition to the last Legislature for a Convention of the States, under the fifth article of the Constitution, to consider the state of

the country, and see if some measure cannot be taken, which will restore harmony to the Union and protect the rights and equality of the States from fanaticism and radicalism."

Governor Moore, of Louisiana, yielding to the pressure of the State, issued his call, (November 19th,) for the Convention of the Legislature, December 10th.

Alabama Governor's
Views.

Governor Moore, of Alabama, in answer to inquiries of leading citizens of the State in regard to his views, answered by an elaborate paper, under date of November 14th, taking the ground that secession was not only a right—but a necessity. He took the position that the President had no power, under the Constitution, to coerce a state, saying:—"If a State withdraws from the Union, the Federal Government has no power, under the Constitution, to use the military force against her, for there is no law to enforce the submission of a sovereign State, nor would such a withdrawal be either an insurrection or an invasion." This view of the want of power in the Executive to coerce a State, we may add, was that quite generally entertained at the South, and it is certain the precipitate Secessionists regarded that fact as one so important, that their wish was to get out of the Union before Mr. Lincoln came into power, not knowing to what extent he might resort to force against them. Mr. Buchanan, it was felt and understood, would not attempt coercion, let the result be what it might.

Governor Moore's address added:—

"We should remember that Alabama must act and decide the great question of resistance or submission for herself. No other State has the right or the power to decide it for her. She may, and should, consult with other Slaveholding States to secure concert of action, but still she must decide the question for herself, and co-operate afterward.

"The contemplated Convention will not be the place for the timid or the rash. It should be composed of men of wisdom and experience—men who have the capacity to determine what the honor of the State and the security of her people demand; and patriotism and moral courage sufficient to carry out the dictates of their honest judgments.

"What will the intelligent and patriotic people of Alabama do in the impending crisis? Judging of the future by the past, I believe they will prove themselves equal to the present, or any future emergency, and never will consent to affiliate with, or submit to

be governed by a party who entertain the most deadly hostility toward them and their institution of Slavery. They are loyal and true to the Union, but will never consent to remain degraded and dishonored members of it."

Governor Magoffin, of Kentucky, in an address to his people, took a position ad-

The Governor of Ken-
tucky's Views.

verse to the secession movement. His words were strong in condemning the unconstitutionality of the Personal Liberty acts, and those other acts which had done injury to the South. He regarded Slavery as necessary to the prosperity of the North. He said, among other things:

"To South Carolina, and such other States as may wish to secede from the Union, I would say: The geography of this country will not admit of a division; the mouth and sources of the Mississippi River cannot be separated without the horrors of civil war. We cannot sustain you in this movement merely on account of the election of Lincoln. Do not precipitate us, by premature action, into a revolution or civil war, the consequences of which will be most frightful to all of us. It may yet be avoided. There is still hope, faint though it be. Kentucky is a border State, and has suffered more than all of you. She claims that, standing upon the same sound platform, you will sympathize with her, and stand by her, and not desert her in her exposed, perilous, border position. She has a right to claim that her voice, and the voice of reason, and moderation, and patriotism, shall be heard and heeded by you. If you secede, your Representatives will go out of Congress, and leave us at the mercy of a Black Republican Government. Mr. Lincoln will have no check. He can appoint his Cabinet and have it confirmed. The Congress will then be Republican, and he will be able to pass such laws as he may suggest. The Supreme Court will be powerless to protect us. We implore you to stand by us, and by our friends in the Free States, and let us all, *the bold, the true, and just men in the Free and the Slave States*, with a united front stand by each other, by our principles, by our rights, our equality, our honor, and by the Union under the Constitution. I believe this is the only way to save it, and we can do it."

The Arkansas Legislature met Nov. 13th, but Governor Conway did not, in his message, refer to the National troubles. His silence was variously construed, but it was understood that the people of the State were opposed to disunion.

On the 14th of November, Mr. Alexander H. Stephens, afterwards Vice-President of the

Southern Confederacy, made a speech at Milledgeville, Georgia, declaring against secession because of Mr. Lincoln's election, but approving the call for a Convention to act, saying that his fortune should be cast with that of Georgia. He plead in eloquent terms the cause of the Union, and thought Georgia safer and more prosperous in than out of it. Mr. Toombs, who was present, frequently interrupted Mr. Stephens to show his own disunion sentiments. As the members of the Georgia Legislature were present, the speech was heralded at the North as evidence of a still unspoken sympathy for the Union; but, it proved to be only the final struggle of the loyal heart. Mr. Toombs addressed the people for secession on the following evening with great effect. The Legislature of Georgia followed with its Convention bill, which, in itself, was almost a declaration of secession. Mr. Stephens himself soon gave way before the changing current, and we find him, in the speech quoted from, [See pages 30, 31] declaring against the Union in terms calculated to excite a doubt if the same person could have made both speeches. We advert to the discrepancy to show how strong must have been the influences which could have induced such changes of conviction in such wise and honest men. Up to this time, singular as it may seem, no "bill of particulars" had been laid before the public, specifying the individual wrongs which the South had to urge in justification of its belligerent attitude towards the North and the Union. In most documents thus far issued, the "wrongs of the South" were expressed in generalities, and we therefore find the Northern people and press asking — "What *are* all those wrongs?" The first explicit answer made was by the Declaration of Causes, and the preamble and resolutions adopted, by the great secession meeting in Mobile on the evening of November 15th. This admirably composed document served as a model for others which followed, anticipating, as it did, by more than a month, the South Carolina "Declaration," which it much exceeded in force and fitness for the crisis. Its historic, as well as its political, interest demands its reproduction entire:

THE MOBILE DECLARATION OF CAUSES.

The Presidential election has resulted in the triumph of sectionalism over the supporters of law, order and the Constitution.

Anti-Slavery fanaticism has lifted to the Chief Magistracy a man pledged to carry on a relentless war of aggression upon the rights and equality of fifteen States of the Union.

In the pause after the battle, and before the enemy takes possession of the Government, it behooves us to consider what our safety demands, to look the danger in the face, and in the spirit of men who, knowing their rights, dare to maintain them at any and all hazards.

The gravity of the occasion admonishes us neither to magnify nor under-estimate the hazard of our position.

The question is, can the honor, dignity, and equality of the Southern States, and the rights of their citizens, be preserved by remaining in the Union?

Are we not constrained to choose between a disgraceful submission, and a separation from those who persistently and defiantly violate the covenants of our fathers?

The following brief but truthful history of the Black Republican party, its acts and purposes, affords an answer to these questions:

It claims to abolish Slavery in the districts, forts, arsenals, dockyards, and other places ceded to the United States. To abolish the inter-State Slave-trade, and thus cut off the Northern Slave States from their profits of production, and the Southern of their resources of supply of labor.

It claims to forbid all equality and competition of settlement in the common Territories, by the citizens of Slave States.

It repels all further admission of new Slave States.

It has nullified the Slave act in the majority of the Free States.

It has denied the extradition of murderers, and marauders, and other felons.

It has concealed and shielded the murderer of masters or owners in pursuit of fugitive slaves.

It has refused to prevent or punish by State authority the spoliation of slave property; but, on the contrary, it has made it a criminal offense in the citizens of several States to obey the laws of the Union for the protection of slave property.

It has advocated negro equality, and made it the ground of positive legislation hostile to the Southern States.

It opposes protection to slave property on the high seas, and has justified piracy itself in the case of the Creole.

It has kept in our midst emissaries of incendiarism

to corrupt our slaves and induce them to run off, or incite them to rebellion and insurrection.

It has run off millions of slave property, by a system of what are called "underground railroads," and has made its tenure so precarious in the border Slave States as nearly to have abolitionized two of them—Maryland and Missouri; and it is making similar inroads constantly upon Virginia and Kentucky.

It is incessantly scattering firebrands of incendiary appeals in our midst.

It has extended fanaticism into our own borders.

It has invaded a Territory by arms furnished by Emigrant Aid Societies, under State patronage, and by funds furnished by foreign enemies, in Canada and Great Britain.

It has invaded Virginia and shed the blood of her citizens on her own soil.

It has published its plan for the abolition of Slavery everywhere. To rescue slaves at all hazards, form associations to establish presses, to use the vote and ballot, to raise money and military equipments, to form and discipline armed companies, to appeal to non-slaveholders and detach them from slaveholders in Slave States, to communicate with the slaves, to encourage Anti-Slavery emigrants to the South and West, to seize other property of slaveholders to compensate for the cost of running off their slaves, to force emancipation by all means, especially by limiting, harassing, and frowning upon Slavery in every mode and form, and finally by the Executive, by Congress, by the postal service, and in every way to agitate without ceasing until the Southern States shall be abandoned to their fate, and, worn down, shall be compelled to surrender and emancipate their slaves.

It has repudiated the decisions of the Supreme Court.

It assails us from the pulpit, the press, the school room. It divides all sects and religions, as well as parties. It denounces slaveholders as degraded by the lowest immoralities, insults them in every form, and holds them up to the scorn of mankind.

It has already a majority of the States under its domination; has infected the Federal as well as the State Judiciary; will, ere long, have a majority of the House of Representatives of the Congress of the United States; will soon have, by the new census, a majority of the Senate; and before it obtains the Senate, certainly will obtain the Chief Executive power of the United States.

It has announced its purpose of total abolition in the States and everywhere, as well as in the Territories, and districts, and other places ceded.

It has proclaimed an "irresistible conflict" of higher law with the Federal Constitution itself!

Its candidate elect to the Chief Magistracy has proclaimed that "the Government cannot endure half slave and half free"—that there is an "irrepressible conflict between opposing and enduring forces—that the United States must and will, sooner or later, become a slaveholding nation, or entirely a free-labor nation."

Thus it is seen that their declared policy is a settled and determined hostility to the social fabric of the Southern States, a policy at war with the theory of our Government and the design of its framers—regardless of the Compromises of the Federal Constitution, ignoring the rights of property, and destructive of the harmony of our Federal system, and the equality of the States.

The success, therefore, of that party in the late election is an open and official avowal by a popular majority of the non-Slaveholding States that there will be no pause in their aggressive warfare, until the full success of their fell purposes.

The time, therefore, has come for us "to put our house in order," and, if need be, to stand by our arms.

We will not give the enemy time to collect his strength and wield the powers of Government against us, by waiting for any further "overt act." Therefore, be it

Resolved, 1. That the election of Abraham Lincoln to the Presidency upon the principles avowed by the Black Republican party, is, in our opinion, a virtual overthrow of the Constitution and of the equal right of the States.

2. That the idea of submission by the South to the rule of such a man and such a party should be repudiated from one end of her borders to the other.

3. That in the language of the Constitution of Alabama, under which she was admitted into the Union, "All political power is inherent in the people, and all free governments are founded on their authority, and intended for their benefit; and, therefore, they have at all times an inalienable and indefeasible right to alter, reform, or abolish their form of government in such manner as they may think expedient."

4. That, in the present state of things, it is the deliberate opinion of this meeting, assembled without distinction of parties, that the State of Alabama should withdraw from the Federal Union without any further delay than may be necessary to obtain in the speediest manner a consultation with other Slaveholding States, in the hope of securing their co-operation in a movement which we deem essential to our safety.

This document shows some "master hand" in its preparation. The list of specifications was truly formidable enough to answer the query, "What *are* your wrongs?"

Southern Rights' Association.

On the evening of November 23d a large meeting was held in New Orleans for the organization of a "Southern Rights' Association." It adopted a declaration embodying the general features of the Mobile resolutions, though its language was more incendiary and violent. The Constitution adopted for the government of the Association embraced, among its articles, the following:—

"The objects of this Association shall be to encourage Southern independence of interest and feeling, and to promote concert of action among the Southern States. And should any State or States, in the exercise of their sovereign right, withdraw from the Union, and the Federal Government attempt coercion, to extend to such State or States our cordial support and sympathy; to use all honorable means to bring about, under the sanction of a State Convention, the withdrawal of the State of Louisiana from the present Union, and the assertion of her independence and sovereignty; and, finally, to promote in every way the establishment of a Confederate Government of the Southern States, or such of them as will unite for that purpose."

North Carolina Legislature.

The Legislature of North Carolina did not act, during November, definitely on the questions of relations with the Federal Government. Resolutions were introduced on the 22d, by Mr. Ferree, strongly Union in their nature, denying the right of secession, &c., &c.

Various substitutes were offered, but all were tabled, and no action taken. On the 24th, Mr. Slade introduced a resolution which was referred to the Committee on Federal Relations, as follows:—

"That without intending any menace or threat, it is the opinion of this General Assembly, that in case any State shall, through the voice of her people, withdraw from the Union, the General Government ought not to attempt coercion, and that the people of this State ought not only to refuse to take part in any such attempt, but to resist the same by all means in their power."

This was the only indication, thus far, of the feeling in the Legislature, while it was remarked that the people of the State were largely in favor of the Union, and of righting their wrongs on the floors of Congress.

Governor Hicks, of Maryland, took strong Union grounds, in a letter dated

Governor Hicks' Position.

November 27th, in answer to a memorial from influential citizens for the Governor to convene the Legislature. He said:—

"Identified, as I am, by birth, and every other tie, with the South, a slaveholder, and feeling as warmly for my native State as any man can do, I am yet compelled by my sense of fair dealing, and my respect for the Constitution of our country, to declare that I see nothing in the bare election of Mr. Lincoln which would justify the South in taking any steps tending toward a separation of these States. Mr. Lincoln being elected, I am willing to await further results. If he will administer the Government in a proper and patriotic manner, we are all bound to submit to his Administration, much as we may have opposed his election.

"As an individual, I will very cheerfully sustain him in well doing, because my suffering country will be benefited by a constitutional administration of the Government. If, on the contrary, he shall abuse the trust confided to him, I shall be found as ready and determined as any other man to arrest him in his wrong courses, and to seek redress of our grievances by any and all proper means."

Tennessee assumed no part in the secession movement. Her people, during

Tennessee's Condition.

November, were represented as "calm and conservative"—that they had expected the election of Mr. Lincoln, and were prepared to do their duty under the Constitution. Ex-Governor Andrew Johnson, her United States Senator, and Emerson Etheridge, one of her Representatives, were unqualified in their Union principles, and served much to steady public sentiment. It was understood, however, that her Governor, Isham Harris, sympathized with the Secessionists, and fears were entertained by the Unionists that he might commit the State at any moment to "cooperation."

Florida indicated her position as beside South Carolina, in the dispatch sent by her Governor, Perry, to Governor Gist: "Florida is with the gallant Palmetto flag," and by the calling of her Convention to meet Jan. 3d.

The immediate secession movement, so far as the proceeding of November indicated, seemed to be confined to the Gulf States and South Carolina. The Border Slave States,

sympathising strongly with their fellow Slave States, still preferred some arrangement by which the Union should be preserved, and directed their influence to that end. Adjoining the Free States on the North, they must become chief sufferers in event of hostilities; hence, whatever might have been the secret desires of their people, policy dictated the wise course of laboring for adjustment of difference *in* the Union, not out of it.

Well would it have been for Virginia, "Mother of Presidents," if she had never known the baleful influence of such men as Henry A. Wise, Jas. M. Mason, Roger A. Pryor, and John Tyler! Well was it for Kentucky, that she had such men as John J. Crittenden, Rev. Dr. Breckenridge, and Joseph Holt! Alas for Tennessee that the counsels of Andrew Johnson, Emerson Etheridge, and Judge Nelson should not have prevailed!

CHAPTER V.

THE FINANCIAL CONDITION OF THE COUNTRY.—STATE OF FEELING AT THE NORTH.

It became evident, early in the fall of 1860, that a monetary crisis was impending. As a consequence, business was restricted, and capital began to withdraw from investment. Manufacturers and importers became eager to close off stocks on hand, and crowded the market with goods beyond its want. The Southern market for goods suddenly ceased, early in November, except in firearms and military wares, and the feeling of insecurity in regard to debts due from the South by November 15th, changed to a feeling of alarm, since remittances almost totally ceased. Exchange on New York and Philadelphia became so high, and Southern bank-notes grew so discredited, that, even those creditors of the Northern factors and merchants who were honorable enough to meet their engagements, could only do so at ruinous discounts. The result was disastrous in the extreme to the lenient tradesmen and manufacturers of the North, who, in their anxiety to "do a Southern business," would credit large amounts on long time. The Western buyer was considered "favored" with a four months' credit; the Southern buyer was "accommodated" with eighteen months' bills. The Western man could not buy more than the sharp Mercantile Agency

thought proper to report "safe." The Southern man could buy all he wanted—it would not have been "courteous" to question *his* ability to pay. This certainly was the feeling in the trade, and, as must inevitably have been the result, when the crisis came, it was found that the South was an immense debtor to the North for goods bought on long credits. Many a house which, in the summer of 1860, was considered good for a million, in November found its name in the list of "discredited firms." This generous confidence had been its ruin.

Notwithstanding this general dry goods disaster, the condition of the banks was most satisfactory. The crises of 1837 and '57 found them with small assets and large circulations: the crisis of 1860 found them with heavy assets and narrowed circulations. The following table will exhibit the comparative statements of the several "panic" seasons:—

	January, 1837.	1857.	1860.
Capital	\$290,000,000	\$368,000,000	\$469,600,000
Circulation . .	151,900,000	177,000,000	197,234,000
Deposits	144,300,000	255,900,000	248,780,000
Loans	553,000,000	745,700,000	685,161,000
Specie	37,900,000	59,700,000	90,153,000
Real Estate . .	19,000,000	26,300,000	22,456,000
No. of banks	788	1,368	1,580

As will be seen by our Summary of Events (page 3), bank suspensions throughout the country became very general about the middle of November; and, in all circles, the want of money was seriously felt. There was money enough in the country;—never, since the Government was organized were the people so generally in “easy circumstances;” but, the distrust which prevailed, the political ruin which stared the nation in the face, the distressed condition of the United States Treasury and the want of confidence in the Treasurer’s management, the action of Southern State Legislatures in authorizing not only suspension of specie payment by the banks, but a suspension of payment of debts due to the North—all contributed to that contraction of capital which is the inevitable result of a “panic.”

But, the tide of exchange and trade was so immensely in our favor that, by the latter part of November, coin commenced flowing in such amounts as to astonish even the most sanguine of money prophets. On the 22d of November one of the leading authorities in New York commercial reports declared that the superabundant wealth actually *clogged the*

avenues of business. The

reason was, that exports so immensely exceeded imports that foreign exchange could not be used in the purchases, and pending the arrival of specie from Europe, to replace the unsought bills of exchange, much embarrassment ensued. The exports of cotton and grain were particularly heavy. The South, preparing for a stagnation in business, or compelled by its wants, hastened forward its product, while the propitious year for grain-growth swelled the great granaries of the West to such fullness that operators had to push forward wheat, flour, and corn for a market in order to buy again at the West.

On Monday, November 19th, the pressure on the market of unsalable foreign exchanges became so great, and the wants of commission men became so importunate, that the New York bank presidents met, and, after much discussion, resolved to purchase \$2,500,000 of foreign exchange, upon which the gold would be realized in thirty days. This afforded a brief relief only, and until gold could come

forward much trouble was experienced in getting rid of the vast stores of grain and cotton awaiting shipment in New York, Boston, Philadelphia and Baltimore.

On the 21st of November the New York banks, The New York Banks’
Loan. in order further to relieve the stringency prevailing, particularly among merchants, resolved upon a liberal line of discounts, by a consolidated fund arrangement through the Clearing House. Ten million dollars were thus set loose—with a promise of more if necessary—to the great relief of the community, and many a first-class house was spared the mortification of “a failure.” Notwithstanding this relief, “second class” paper was only negotiated at fearful rates—as high as 18 per cent. being a common rate.

The condition of the banks, in the great commercial centres, was as follows, at the dates named:

	Loans.	Specie.	Circul’n.	Deposits.
N. York.				
Nov. 17	\$123,271,25	\$19,464,410	\$9,268,317	\$76,190,663
Phila’dia.				
Nov. 19	20,775,878	4,115,932	2,791,762	15,833,121
N. Orl’s.				
Nov. 10	23,443,541	10,219,756	8,005,239	16,304,467
Boston.				
Nov. 20.	64,150,600	4,518,400	7,705,709	19,384,400
Total.	\$237,641,043	\$38,318,498	\$27,831,008	\$127,712,651
Previous Week.	237,5J1,051	40,003,53	28,488,368	131,255,133
Increase.	\$109,992		*****	*****
Decrease		\$1,655,05	\$658,360	\$3,542,681

The condition of the Government Treasury was calculated to excite alarm.

The United States
Treasury.

Howell Cobb, of Georgia, entered upon his duties, as Secretary of the Treasury, in March, 1857, to find a chest absolutely plethoric with deposits. To prevent further accumulation, it was found necessary to buy in the Treasury notes next due. Two years of his management, with no unusual drafts upon the Treasury, found the National Exchequer none too well filled. In the Fall of 1860, he was compelled to go into the New York market as a solicitor for a loan to provide for the wants of Government and the interest on its indebtedness. That loan was obtained at ruinous rates, and Government paper which, a few months previously, would have commanded a premium, went at 85 and 87 cents on the dollar. But even these bids for the

loan were not paid in, and the financier was compelled to see his department brought to embarrassment. Matters were not changed until, by Mr. Cobb's resignation, (December 10th.) John A. Dix, of New York, was called to the Secretaryship. His integrity and business ability won the confidence of Wall street, and, ere ten days of administration, the threatened bankruptcy was not only averted, but the Treasury began to show signs of accumulation quite gratifying in view of the contingencies likely to arise.

The Feeling at the
North.

The state of feeling at the North, during the month, was extremely unsettled. The selection of Mr. Lincoln's cabinet would, in a great degree, determine the line of conduct to be adopted by the administration; therefore men of all parties canvassed the subject freely and with some feeling. The attitude of the Southern States inspired apprehensions of disaster, which it was very difficult to dissipate by any course consistent with the integrity of the Union. Mr. Buchanan's policy, it was feared, would lack in firmness and integrity to the Constitution, since, unlike his predecessor, Andrew Jackson, he had expressed no determination to enforce his abrogated authority. On the 15th of November it was announced that Fortress Munroe, in Virginia, was garrisoned by but eight companies of artillery—the valuable arsenal at Fayetteville, North Carolina, by *one* company,—Fort Moultrie, in Charleston harbor, by *two* companies (eighty men)—Key West fortifications by one company—Barrancas barracks, Pensacola, by one company—the richly stored arsenal at Baton Rouge, Louisiana, by one company; while the New Orleans Mint, the valuable Custom Houses in New Orleans, Charleston, Mobile, Savannah, &c., &c., were totally without guard. Norfolk Navy Yard and the Pensacola Navy Yard, both having millions of property in their keeping, were only garrisoned by 120 marines. As soon as the movements for secession became well developed, the South demanded of the President that no reinforcements of Southern fortresses, &c., should be

Mr. Buchanan's Inaction.

made. The North anxiously awaited the President's action in the matter. It

waited in vain. Though Gen. Scott plead to be permitted to throw a strong defensive force in Fort Moultrie, as in 1832—though he labored earnestly to dissuade Mr. Buchanan from the dangerous apathy which governed his actions—it was in vain: the President not only would authorize no steps looking to the complete protection of Government property, but committed the more heinous mistake of assuring the determined Southern leaders that no reinforcements should be made.

With such want of decision in the Administration, it followed that the people were greatly divided in sentiment. One party, looking at the question of difference between the North and the South, assumed the unequivocal position that the South should be rendered politically *equal* in the Confederacy, no matter what her minority might be in population and wealth. The New York *Herald*, as organ of this class of thinkers, said, in its issue of November 28th:—

The Sectional Equality Party.

"The first thing demanded is the absolute suspension of Mr. Seward's 'irrepressible conflict,' and the recognition by the North of the rights of our Southern slaveholders to their slave property, *wherever it may be found within the limits of the Union*. That point conceded by each of the Northern States, even Massachusetts will be ready for the next proposition, which is that the Southern States, in behalf of their institution of Slavery, are entitled to such additional checks and balances in the General Government as may be necessary to render them hereafter *secure* against Northern Anti-Slavery parties and *Popular Majorities*. This proposition will, of course, comprehend a reconstruction of the organic law of the Union, and a new Constitutional Convention of all the States to do this important work. It is probable, too, that this very proposition may emanate from this approaching Congressional Conference, and it may be suggested in the President's Annual Message,"

This, it was understood, represented the views of the Breckenridge wing of the Democracy, although it was certain that many of the Pro-Slavery men of the party did not favor so undemocratic a measure as a "protection against popular majorities."

Another class, representing the Douglas wing of the Democratic party, favored liberal concessions to the South in the shape of a

right in the territories; of a repeal of the Personal Liberty bills in the Northern States; of a strict execution of the Fugitive Slave law, &c., &c. This class of men were devoted to the Union, and most of them favored a firm defence of the Government property, and the enforcement of the laws.

The Republicans were, also, strong in their Union sentiments, and apparently favored the idea of such compromises as were consistent with their ineradicable opposition to the *extension* of Slavery. They could but deplore the want of firmness in the President, and looked hopefully forward to Congress, which would come together December 3rd. Senator Seward—who, it was well understood, would be Secretary of State under the new administration—in a speech made to the “Wide-Awakes” of Auburn, on the evening of November 20th, advised conciliation in these terms:—

“What is our present duty? It is simply that of magnanimity. We have learned, heretofore, the practice of patience under political defeat. It now remains to show the greater virtue of moderation in triumph. That we may do this, let us remember that it is only as figures of speech that the use of

martial terms, such as ‘defeat’ and ‘victory’ obtain in our system of elections. The parties engaged in an election are not, never can be, never must be, enemies, or even adversaries. We are all fellow-citizens, Americans, brethren. It is a trial of issues by the force only of reason; and the contest is carried to its conclusion with the use only of suffrage. An appeal lies from the people this year, to the people themselves next year—to be argued and determined in the same way, and so on forever. This is, indeed, a long way to the attainment of rights and the establishment of interests. It is our way, however, now, as it has been heretofore. Let it be our way hereafter. If there be among us, or in the country, those who think that marshaling of armies or pulling down the pillars of the Republic is a better, because a shorter way, let us not doubt that if we commend our way by our patience, our gentleness, our affection towards them, they too will, before they shall have gone too far, find out that our way, the old way, their old way as well as our old way, is not only the shortest but the best.”

This reflected the feelings of the great majority of Republicans. There was no committal, on the part of the leaders of the party, to any definitive line of conduct in the crisis—they appeared willing to await the issue of events, leaving all responsibility with the President and Congress.

CHAPTER VI.

PROGRESS OF THE REBELLION IN SOUTH CAROLINA.

THE action of the South Carolina Legislature in ordering a Convention, and in providing for the “military defence” of the State, gave almost unanimous satisfaction to the people of the State. If a Union sentiment was existent it did not appear. Although the Convention was not to assemble until December 17th, the feeling prevailed, early in November, that the State was virtually out of the Union. November 12th, Barnwell Rhett, one of the leading men of the State, said, in a public address:—

Mr. Rhett's Sentiments.

“The Southern Confederacy ought to be a Slaveholding Confederacy. It is *no* experiment

that Free Governments should exist in slaveholding countries. The republics of Rome and Greece—still the light and glory of ancient times—were built on domestic slavery. But it is an experiment to maintain Free Government with universal suffrage, and the whole population to control the Government. * * * The forts and fortresses in our bay should never again be surrendered to any power on earth. We have seen the cannon, placed in them for our defence, turned against us for our subjugation. When our flag again floats over them, let it remain there, until our existence is blotted out as a free people. * * * What shall prevent the people of the South from being a great and free people? Taught by the bitter experience we have had, we can frame a Constitution the best for securing jus-

tice and liberty, the world has ever seen. With such a Constitution and our institutions, we can establish a Confederacy which shall endure for ages; and our Confederacy will be as powerful as it will be great.

* * * The Union is dissolved, and henceforth there is deliverance and peace and liberty for the South. We leave it, not in a time of public danger and trouble, but in a time of established security; not in a time of war, with a foreign enemy thundering on our coasts, but in a time of profound peace with all the world. We leave it victorious in three wars, led on by Southern generals; and with a vast domain of territory, stretching from sea to sea, greater than all civilized Europe contains—the glorious fruits of Southern statesmanship. We leave it, as our fathers left their union with Great Britain, after a patience of endurance, which they would have scorned; and armed like them, with the mighty consciousness of right, more powerful than armies with banners. The long weary night of our humiliation, oppression, and danger is passing away, and the glorious dawn of a Southern Confederacy breaks on our view. With the blessing of God, we will soon be a great people—happy, prosperous and free.”

This speech was significant not only of the state of sentiment in the State, but demonstrated, incontestably, that the work of rebellion had been progressing long enough *before* the Presidential election to render secession a fixed fact in event of Lincoln's success.

On Thursday evening a great meeting was held in Charleston, to welcome the returning delegates to the Legislature, to secure the passage of the Convention bill. Mayor Macbeth presided. From the speeches made we see

that the mere act of calling a Convention was regarded as equivalent to secession, although the Convention would not assemble until December 17th. One speaker, Mr. Porter, responding for the delegates, said:—

“This great Government, the wonder of the world—this mighty Federal Union, the centre of so many hopes and aspirations—is now sliding from under our feet, and those great sovereign communities that breathed into it the breath of life; that called it into being, but which has been most perfidiously abused and betrayed, are about to recall the powers with which they clothed it, and to assume their original positions among the people of the earth as a sovereign and independent nation. But, fellow-citizens, what is most remarkable of all is, that it is not a legislative, but a popular revolution. The people

started the ball of revolution, and they will carry it forward to the consummation and the end they have in view. Solitary and alone, it is my fixed belief that the State of South Carolina, whatever may be-tide her, whoever refuse to stand by her—that South Carolina, solitary and alone if need be, will launch her gallant little bark of independence upon an untried political sea; abiding in the justice of her cause, and relying upon the gallant arms and the stout hearts of her people, will peril all in the contest with our enemy.”

Another speaker from the delegation said:

“The wicked and nefarious plot which forty years ago was conceived to seize the reins of this Government for the purpose of plundering the South and uprooting her institutions has, day by day, matured, until the hour of its accomplishment has come. * * The knell of this Union has been sounded, and it must go down, if it has to go down in a stream of blood and in a multitude of human suffering. Of what value, my friends, is this Union to you now? Three thousand millions of property is involved in this question, and if you say at the ballot-box that South Carolina shall not secede, you put into the sacrifice three thousand millions of your property. Aye, my friends, that Union of which so many speak in terms of laudation—its virtues, its spirit, its splendor has forever fled. It is now a dead carcass, stinking in the nostrils of the South. * * Aye, my friends, a few weeks more and you will see floating from the fortifications the ensign that now bears the Palmetto, the emblem of a Southern Confederacy. A thousand hearts will rally to its support, and a thousand swords will leap from their scabbards, resolved to make it their winding-sheet ere it shall trail in dishonor in the dust.”

Upon the adjournment of the Court of Chancery, on the afternoon of Friday, November 16th, the Chancellor, in his parting address, “expressed the earnest hope that when they again met, it would be as the Court of an independent State, and that State a member of a Southern Confederacy.”

About this time a demand was made by the Navy and Army officers to resign. *Mercury*, of “all the Army and Navy officers of the State of South Carolina, now in the service of the General Government,” to throw up their commissions and join in the revolutionary movement. The call read:—

“In behalf of the people of the State of South Carolina, we would this day call upon each and all of her sons who are now engaged in the military ser-

vice of the Government of the United States, to renounce at once the sword and the rations of the vulgar oppressor, and to hasten at once to the homes that gave them birth, for the protection of their native soil, the preservation of the institutions of their State, and the maintenance of the liberty of freemen, bequeathed them by their fathers.

"South Carolina wants her soldier citizens around her now. The mother looks to her sons to protect her from outrage. Shall she look in vain? She wants, now, military skill and science, to direct the courage and energies of her people. She looks to her Army and Navy officers to supply that want. Let them return home at once, without any hesitation whatever. They need have no more doubt of South Carolina's going out of the Union, than of the world's turning round. Every man that goes to the Convention will be a pledged man—pledged for immediate separate State secession, in any event whatever. Once out of the Union, nothing but *conquest* will bring her back. She is resolved, sick of the Union, disgusted with it upon any terms that are within the range of the widest possibility.

"Her sons, however, will be taken care of, whatever the result of her secession—for *that* is a fixed fact. Let them not hesitate; but rather let their promptitude bespeak the amount of their devotion to their native State."

Great Popular Demonstration. Saturday morning, Nov. 17th, the people of Charleston inaugurated a gala-day by erecting a pine pole, ninety feet in height, from which was flung the Palmetto flag. It consisted of a white ground with a palmetto tree in the centre, under which was inscribed—"Animas assibusque parati." The State flag also flew from all the public buildings and leading houses in the city. It is estimated that twenty thousand persons took part in the festivities of the day "to inaugurate the revolution." As the flag ran up the "liberty pole," the Washington artillery fired a salute of one hundred guns, while a band discoursed the "Marseilles Hymn"—adding the "Miserere" from *Il Trovatore*, as a requiem for the departed Union.

The Rev. C. P. Gadsden then invoked the blessing of God in the following prayer:

"O, God! our refuge and strength, the shield of our help and the sword of our excellency, we come before Thee to express our dependence upon Thy succor, and our need of Thy guidance and defence. The liberties with which Thy protection

blessed our fathers being imperiled, we ask Thy favor and aid. Inspire us with courage, with a spirit of self-sacrifice, with a love of law and order, and with dependence upon Thee. Bless our State, and her sister States; in this great crisis. May they act as becometh a moral and religious people. Consecrate with Thy favor the banner of liberty this day hung in the heavens. May the city over which it floats be in Thy gracious keeping. Shield our commerce on the seas, and protect our homes and firesides. May agriculture bring her stores to our mart, and order and quiet abide in our streets, if it be Thy will. Avert from our land the horrors of war; but whatever we may be called upon to endure, be Thou our fortress and defence. O God! our fathers have declared unto us the noble works which Thou didst in their days. Continue Thy goodness to us their children, and make us that happy people whose good is the Lord, through Jesus Christ, our Redeemer. Amen."

This was succeeded by speeches, chiefly from business men, since it was a business men's, or people's celebration. The crowd was addressed as "Citizens of the Southern Republic." Processions came pouring into the public square from all sections of the city, bearing banners and mottoes expressive of the sentiments of the hour, viz.:—"Now or Never," "Stand to your Arms," "South Carolina Goes it Alone," "God, Liberty, and the State," "No *Stripes* for South Carolina," "Let us bury the Union's Dead Carcass," &c., &c. Secession badges were worn by men, women and children. A reporter present said:—"All classes are arming for the contingency of coercion. Revolvers and patent fire-arms are selling like hot cakes." The same authority said:—

"Not a ship in the harbor has the Federal flag flying, but, far down in the Bay, it can still be discerned flying over Fort Moultrie."

In the evening of the same day another vast concourse of people assembled in the square to hear speeches, all of the most radical disunion character. One thought, feeling and devotion to the secession sentiment prevailed. Merchants from Northern cities, it is said, took part in the proceedings—giving the people strong assurances that New York, Philadelphia and Baltimore, would sustain South Carolina in her course.

From the speech of Mr. Theodore G. Barker we must re-produce a paragraph to show

that a strong feeling prevailed against the Union for its majority rule. Mr. B. said:—

The True Cause Crying out.

"I am not one of those who can bear to scoff at the lost grandeur of this dying Republic.

It has indeed been a glorious triumph of free institutions. The diseases which have undermined it are common to all known human systems. Its death should be no discouragement to our continuing the grand experiment of self-government for ourselves. The great lessons of its short but brilliant history will not be lost to us or mankind. But remember, also, its warnings. Beware of the tendencies of a majority government—Remember the teachings of the great State-Rights Champion of Carolina, your own Calhoun. See to the protection of the minority; beware of the abuses of universal suffrage; beware of Democratic Absolutism! But be not discouraged. The torch of liberty, which was kindled by the great men of 1776 in the fires of the American Revolution, is already passing into the hands of the leaders of the Southern Revolution of 1860. The experience of near a century will teach them how to keep it bright forever."

A Congressman's Views.

On the evening of November 21st, Hon. John McQueen and others addressed the people of Columbia. Mr. McQueen said, among other things:—

"In three short weeks, according to his humble judgment, the sovereignty of South Carolina will be again established. The people are determined to live free or die. In a journey of three thousand miles that the speaker had made through many Southern States, he had not met one man who was not ready to strike the blow at once. They say you are ready, and if you strike we will soon follow you. Had they not heard it said by the other Southern States that if South Carolina goes now, whether we unite with you or not, yet upon the shedding of the first drop of blood we will be with you in such numbers that there will not be soil enough in South Carolina to hold us?"

Precipitation. wish of the people and the purpose of the leaders. If a stroke could be made—if "one drop of blood" could be shed—the State would have "cooperation."

Hon. J. D. Ashmore spoke briefly. He remarked that the day for speech-making was past, the time for action had come. He came from the mountains, where the people were resolved either to die or to succeed in throwing off a tyranny worse than death. And so

with the men of the western part of the State. They would come up to the Convention with hearts resolved to do or die. The people of South Carolina had determined, right or wrong, to be free. The die was cast.

All these expressions, taken in connection with the resolves of the Legislature, leave no reason to doubt that the people were prepared for any contingency which might arise, either in separate secession, in a peaceful negotiation of terms of settlement with the authorities at Washington, or in a conflict with the Federal Government. It was, apparently, a matter of indifference what turn events might take:—all appeared to feel that their mere act of secession was equivalent to the full accomplishment of the States independence.

As a further feature of the attitude of the people throughout the State, we may mention the formation of "Vigilance Associations," whose objects will be inferred from the following resolutions adopted November 24th, by citizens of Lexington District:—

Vigilance Associations.

Resolved, That the officers shall be elected every four months by the members of the Association, and they are required to meet monthly, and transact all business that may be referred to them, *having full power to decide all cases that may be brought before them*, and their decisions shall be final and conclusive.

Resolved, That the President appoint as many captains of patrol as he may think necessary to carry out the object of the Association, each company of patrol to consist of not less than five men.

Resolved, That the patrol companies have the power to arrest all suspicious white persons, and bring them before the Executive Committee for trial.

Resolved, That each captain of patrol be required to call out his company for duty once a week, or as often as he may think necessary.

Resolved, That we pledge ourselves to put down all negro preachings, prayer-meetings, and all congregations of negroes that may be considered unlawful by the patrol companies.

Resolved, That the patrol companies have the power to correct and punish all slaves, free negroes, mulattoes, and mestizoes, as they may deem proper, as nothing herein justifies any patrol company to injure any person's property.

Resolved, That we pledge ourselves to give no general passes—each pass to specify where to go and when to return.

Resolved, That each and every captain of patrol be furnished with a copy of these resolutions, which they must show to all persons residing in their neighborhood, and request their signatures.

Resolved, That each captain of patrol be required to make a return to the President monthly, and report all persons who refuse to do duty.

Resolved, That we will prohibit all peddlers from passing through our section of the district, unless they be legally authorized to do so by law.

Resolved, That any of the above resolutions may be changed at any regular meeting by a majority of two-thirds of the votes of the members present.

Resolved, That the officers do duty equal to any of the members.

These Vigilant Associations and Committees were soon at work, and large numbers of Northern men and women—teachers, preachers, travellers, peddlers, &c.—were arraigned by them and compelled to leave the State. In a few cases violence was resorted to, in the way of tar and feathers, where an “abolitionist” was “spotted.”

From the planter owning six hundred negroes, down to the “white trash,” all seemed to feel the fire of enthusiasm in the cause of disunion—all alike were inspired with hatred of the North and contempt of the Federal compact. *So far as we can know, not one solitary voice in South Carolina was raised in behalf of the Union, after the middle of November.*

[A very remarkable feature of this “popular uprising” is the fact that the Legislature and the people in the action taken *abrogated their own Constitution*, and never for a moment regarded its provisions. Thus, every officer serving the State was required to subscribe to the following oath:—

“I do swear (or affirm) that I am duly qualified

according to the Constitution of this State, to exercise the office to which I have been appointed, and will, to the best of my abilities, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State *and of the United States.*”

It was also provided, among other things, by the State Constitution, that the Governor “shall command the military forces of the State, except when they shall be called into the service of the United States.” As it was impossible to alter that Constitution for the emergency, the entire obligations of the instrument were ignored as part of the scheme of the revolution. The Constitution could only be altered after the following process:—

“No part of the Constitution shall be altered unless a bill to alter the same shall have been read three times in the House of Representatives and three times in the Senate, and agreed to by two-thirds of both branches of the whole representation; neither shall any alteration take place until the bill, as agreed to, be published three months previous to a new election for members to the House of Representatives; and if the alteration proposed by the Legislature shall be agreed to in the first session by two-thirds of the whole representation in both branches of the Legislature, after the same shall have been read three times, on three several days, in each House, then, and not otherwise, the same shall become a part of the Constitution.”

A strict constructionist may, very properly declare the whole act of secession illegal and unconstitutional under the laws of South Carolina. As the Wheeling Convention afterwards declared the entire vote of Virginia and the declaration of secession illegal, so any citizen or body of men in South Carolina can declare the acts of their Legislature and Convention entirely illegal under their State organic law, and consistently might repudiate the entire proceedings.]

CHAPTER VII.

VIEWS OF THE FATHERS OF THE REPUBLIC ON THE QUESTION OF UNION AND DISUNION.

BEFORE entering upon the narrative of the events which rapidly followed upon the opening of the XXXVI Congress, (2d Session,) which assembled Dec. 3d, we must pause to introduce the opinions of the founders of the Constitution and of its most eminent expounders, on the question of Union. It is only by having their views, of the right of a State to secede, that we can form a just estimate of the position which parties soon assumed on the question of disunion.

Opinions of President
Washington. Chief of all comes Washington. In his Farewell Address, we have at once his warning and his encouragement. The Union, *one and indivisible*, is his prayer and his adjuration. Did he sadly foresee, with the prescience of his patriot spirit, the circumstances of 1861, when he wrote that immaculate document? It says:

"The unity of government, which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home, your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken, in your minds, the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your National Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and

indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts. For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affection."

Upon the benignant character of the Constitution, and its provision for all needed amendment, the Address says:—

"To the efficacy and permanency of your Union a government for the whole is indispensable. No alliances, however strict, between the parts, can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a constitution of government better calculated than your former for an intimate Union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty.

"If, in the opinion of the people, the distribution or modification of the constitutional powers be, in any particular, wrong, let it be corrected by an amendment, in the way which the Constitution designates. But let there be no change by usurpation.

"The basis of our political systems is, the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government pre-supposes the duty of every individual to obey the established government."

Against rebellion to its authority, the Father of his Country said :—

"All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle [of liberty] and of fatal tendency."

And this reproof was administered to those factionists who arrogated the right of States to supremacy rather than concede to the Federal Government its needed centralization of power :—

"And remember especially that, for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property."

Truly these words seemed to have been penned in a prophetic spirit. But they were those of wisdom—of disinterested patriotism—of Christian faith and manly dignity,—virtues, alas! to which the factionists of the year 1860 were strangers.*

Opinions of Chief-Justice Marshall.

Chief-Justice John Marshall, of Virginia, one of the ablest and purest justices who ever adorned the United States Supreme Court, was a devoted supporter of the system of the Federal Union. When, in 1798, Madison introduced his Nullification Resolutions into the Virginia Assembly, consequent on the passage of the Alien and Sedition laws, Judge Marshall wrote to Washington, (January 8th, 1799,) that the laws served but

as a *pretext* for the introduction of the "highly dangerous" resolutions, in that, had they never passed Congress, the resolutions would have found some other pretext for their virulence, which was aimed at the dominant party—the Federalists—rather than at particular measures. He then referred to the papers introduced by Colonel Taylor, (in the Virginia Assembly,) and Mr. George K. Taylor, on Federal relations. Judge Marshall then says :—

"The debates on these subjects were long and animated. In the course of them sentiments were declared and (in my judgment) views were developed of a very serious and alarming extent. To me it seems that there are men who will hold power by any means rather than not hold it, and who would prefer a dissolution of the Union to the continuance of the administration not of their own party. They will risk all the ills which may result from the most dangerous experiments rather than permit that happiness to be enjoyed which is dispensed by other hands than their own. It is more than ever essential to make great exertions at the next election, and I am persuaded that by making them we obtain a Legislature, if not federal, so divided as to be moderate.

"I feel with increased force the obligations of duty to make sacrifices and exertions for the preservation of American union and independence, as I am more convinced of the reality of the danger which threatens them."

Thomas Jefferson, the "Father of Democracy," an implacable adversary of the Federalists, as a partisan leader who considered that any means would justify the ends of their overthrow, penned

and secretly despatched to Kentucky those celebrated resolutions which make him the Father of Nullification; yet, as a true *patriot*, he could but openly oppose the scheme of a separate Confederacy proposed by Colonel Taylor, (referred to in Judge Marshall's letter, quoted from above,) to be composed of Virginia and North Carolina. He thus expressed his unqualified dissent to the idea of "secession" :—

"In every free and deliberating society, there must from the nature of man, be opposite parties and violent dissensions and discords; and one of these, for the most part, must prevail over the other for a longer or shorter time. Perhaps this party division

* This precious heir-loom of the whole American people was the combined wisdom of Washington and Hamilton, both of whom labored upon its production. It also passed under the critical *legal* inspection of Judge Jay, and had his endorsement. See 'An Inquiry into the Formation of Washington's Farewell Address,' by Horace Binney, of Philadelphia; 8vo. Parry & MacMillan, Publishers. 1859.'

Opinions of Jefferson.

is necessary to induce each to watch and to report to the people the proceedings of the other. But if, on a temporary superiority of the one party, the other is to resort to a scission of the Union, no Federal Government can ever exist. If to rid ourselves of the present rule of Massachusetts and Connecticut, we break the Union, will the evil stop there? Suppose the New England States alone cut off, will our nature be changed? Are we not men still to the South of that, and with all the passions of men? Immediately we shall see a Pennsylvania and a Virginia party arise in the residuary Confederacy, and the public mind will be distracted by the same party spirit. What a game, too, will the one party have in their hands by eternally threatening the other that unless they do so and so they will join their Northern neighbors. If we reduce our Union to Virginia and North Carolina, immediately the conflict will be established between the representatives of these two States, and they will end by breaking into their simple units. Seeing, therefore, that an association of men who will not quarrel with one another is a thing which never yet existed, from the greatest confederacy of nations down to a town meeting or a vestry—seeing that we must have somebody to quarrel with, I had rather keep our New England associates for that purpose, than to see our bickerings transferred to others.”

Well would it have been for the patriot's reputation for candor and consistency if, after penning such statesman-like views, he had not to father those incendiary resolves which afforded South Carolina a precedent for her conduct in 1832.

Hamilton, in his *Federalist*, devoted all his intellectual resources to an elimination of the nature and powers of the Constitution. Having then to meet the question of State rights as superior to the rights of the Commonwealth, he said:—

“However gross a heresy it may be to maintain that a party to a compact has a right to revoke that compact, the doctrine has had respectable advocates. The possibility of such a question shows the necessity of laying the foundation of our national government deeper than in the mere sanction of delegated authority. The fabric of American empire ought to rest on the solid basis of the consent of the people.”

Patrick Henry's Views. Patrick Henry opposed the Constitution because it proposed a consolidated and indivisible government. He said, in his speech in the Virginia Convention of 1788,

called to ratify or to reject the organic instrument:—

“Have they said, ‘We, the States?’ Have they made a proposal of a compact between States? If they had, this would be a Confederation; it is, otherwise, most clearly a consolidated Government. The whole question turns, Sir, on that poor, little thing, the expression, ‘We, the People,’ instead of ‘the States,’ of America.”

Chancellor Kent adverts to the necessities which impelled the adoption of the Constitution as a substitute for the old Articles of the Confederation, in these terms:—

Chancellor Kent's Views.

“The great and fundamental defect of the Confederation of 1781, which led to its eventual overthrow, was, that, in imitation of all former Confederacies, it carried the decrees of the Federal Council to the States in their sovereign capacity. The great and incurable defect of all former Federal Governments, such as the Amphictyonic, Achæan, and Lycian Confederacies, and the Germanic, Helvetic, Hanseatic and Dutch Republics, is, that they were sovereignties over sovereignties. The first effort to relieve the people of the country from this state of national degradation and ruin came from Virginia. The General Convention afterwards met at Philadelphia in May, 1787. The plan was submitted to a convention of delegates chosen by the people at large in each State for assent and ratification. Such a measure was laying the foundations of the fabric of our national polity where alone they ought to be laid—on the broad consent of the people.” (Commentaries, Vol. I., p. 225.)

Chief Justice Story tells us, in his exposition of the history of the compact between the States and General Government, that, “in the most elaborate expositions of the Constitution by its friends, its character as a permanent form of government, as a fundamental law, as a supreme rule, which no State was at liberty to disregard, to suspend, or to annul, was constantly admitted and insisted upon.” (1 Story, 225.) And he further adds: “There was no reservation of any right on the part of any State to dissolve its connection, or to abrogate its dissent, or to suspend the operation of the Constitution as to itself.”

Chief Justice Story's Views.

Mr. Madison, more than any other man, may be styled the Father of the Constitution, for his la-

Madison's Views.

bors in Committee and in open Convention served to give the instrument the impress of his mind and his principles. When he came forward in the Virginia Assembly (1798) with his resolutions of nullification, he was actuated, unquestionably, by the motive ascribed by Judge Marshall—that of creating an issue to overthrow the Federalists. When, in 1830, Mr. Madison was appealed to, by Mr. Calhoun, as the author of the idea of nullification, he feelingly denied the truth of any such construction being placed upon his resolutions, or the address which he sent out with them to the States. Mr. Everett, referring to this position of Mr. Madison, says:—

“It was repeatedly and emphatically declared by Mr. Madison, the author of the resolutions, that they were intended, to claim, not for an individual State, but for the United States, by whom the Constitution was ordained and established, the right of remedying its abuses by constitutional ways, such as united protest, repeal, or amendment of the Constitution. Incidentally to the discussion of nullification, he denied, over and over again, the right of peaceable secession, and this fact was well known to some of the members of the late Convention at Richmond.

“No effort was spared by the leaders of the nullification school to draw from him even a qualified assent to their theories. But in vain. He not only refused to admit their soundness, but he devoted his time and energies for three laborious years to the preparation of essays and letters, of which the object was to demonstrate that his resolutions and report did not, and could not, bear the Carolina interpretation.”

Pinckney (Charles Cotes-

Pinckney's Views. worth), the tried patriot and trusted friend of Washington, and one of South Carolina's most revered statesmen, is thus reported in Elliott's Debates (IV, 301):—

“The separate independence and individual sovereignty of the several States were never thought of by the enlightened band of patriots who framed the Declaration of Independence. The several States are not even mentioned by name in any part of it, as if it was intended to impress this maxim on America, that our freedom and independence arose from our Union, and that without it we could neither be free nor independent. Let us, then, consider all attempts to weaken the Union, by maintaining that each State is separately and individually independent, as a species of political heresy which can never benefit us, and may bring on us the most serious distresses.”

Adams, Livingston, Jay, Franklin, Robert Morris, Randolph, Pendleton—all entertained similar opinions to those expressed in the Farewell Address, and gave their wisdom to preserve the word of the great Bond at once of our nationality and our prosperity from the perversions and demoralization of the faction which preferred State to country.

The generation which followed them embraced Webster's Views. such men as Clay, Webster, and Benton, whose opinions of the Constitution all harmonised on the one principle of its national supremacy, to defy which was treason. Webster's opinions are so frequently cited as to be familiar to all. In his truly sublime defence of the Constitution against the rhetoric of Mr. Hayne, and the logic of Mr. Calhoun, he became known as the “Great Defender.” At as late a day as March 7th, 1850, he was called upon to speak of “secession.” We quote:

“I hear with distress and anguish the word “secession,” especially when it falls from the lips of those who are patriotic, and known to the country, and known all over the world for their political services. Secession! Peaceable Secession! Sir, your eyes and mine are never destined to see that miracle. The dismemberment of this vast country without convulsion! The breaking up of the fountains of the great deep without ruffling the surface! Who is so foolish—I beg everybody's pardon—as to expect to see any such thing? Sir, he who sees these States now revolving in harmony round a common centre, and expects to see them quit their places and fly off without convulsion, may look the next hour to see the heavenly bodies rush from their spheres and jostle against each other in the realms of space, without causing the wreck of the universe.”

Henry Clay fairly abhorred the name of “Secessionist.” In the Senate, Henry Clay's Sentiments. (1850,) he thus referred to Mr. Rhett, who acted a leading part in the revolutionary proceedings of 1860–61:—

“If he pronounced a sentiment attributed to him, raising the standard of disunion and of resistance to the common government, whatever he has been, if he follows up that declaration by corresponding overt acts, he will be a traitor, and I hope he will meet the fate of a traitor.”

That he held his duty as a citizen of the United States paramount to his duty as a

citizen of Kentucky, we see from these remarkable expressions:—

"I have heard with pain and regret a confirmation of the remark I made, that the sentiment of disunion is becoming familiar. I hope it is confined in South Carolina. I do not regard as my duty what the honorable Senator seems to regard as his. If Kentucky to-morrow unfurls the banner of resistance unjustly, I never will fight under that banner. I owe a paramount allegiance to the whole Union—a subordinate one to my own State. When my State is right—when it has cause for resistance—when tyranny, and wrong, and oppression insufferable arise—I will then share her fortunes; but if she summons me to the battle-field, or to support her in any cause which is unjust against the Union, never, never will I engage with her in such a cause."—*Benton's Ab. Deb.*—Vol. xvi., p. 594.

His ideas of the indissoluble nature of the compact of confederation may be learned from the following extracts from the same speech:

"I said that I thought that there was no right on the part of one or more of the States to secede from this Union. I think that the Constitution of the Thirteen States was made, not merely for the generation which then existed, but for posterity, undefined, unlimited, permanent, and perpetual—for their posterity, and for every subsequent State which might come into the Union, binding themselves by that indissoluble bond. It is to remain for that posterity, now and forever.

"Like another of the great relations of private life, it was a marriage that no human authority can dissolve or divorce the parties from; and, if I may be allowed to refer to this same example in private life, let us say what man and wife say to each other: We have mutual faults; nothing in the form of human beings can be perfect; let us, then, be kind to each other, forbearing, conceding; let us live in happiness and peace.

"Mr. President, I have said what I solemnly believe—that the dissolution of the Union and war are identical and inseparable—that they are convertible terms. Such a war, too, as that would be, following dissolution of the Union! Sir, we may search the pages of history, and none so furious, so bloody, so implacable, so exterminating, from the wars of Greece down, including those of the Commonwealth of England and the Revolution of France—none of them raged with such violence, or was ever conducted with such bloodshed and enormities as will that war which shall follow that disastrous event—if that event ever happens—of dissolution."

The Union sentiments of such men as Messrs. Douglas, Cass, Crittenden, Dickinson,

Fillmore, Judge Holt, Amos Kendall, Reverdy Johnson, ex-President Van Buren, it is unnecessary to refer to. They have all denounced disunion—have declared secession to be revolution. We cannot, however, refrain from placing on record the opinions of Howell Cobb, who withdrew from Mr. Buchanan's cabinet to give his influence at home to the secession movement. In 1851, in a letter to citizens of Macon, he thus expressed himself on the right of a State to withdraw, at will, from the Union:

Howell Cobb's
Opinion.

"When asked to concede the right of a State to secede at pleasure from the Union, with or without just cause, we are called upon to admit that the framers of the Constitution did that which was never done by any other people possessed of their good sense and intelligence—that is, to provide, in the very organization of the Government, for its own dissolution. It seems to me that such a course would not only have been an anomalous proceeding, but wholly inconsistent with the wisdom and sound judgment which marked the deliberations of those wise and good men who framed our Federal Government. While I freely admit that such an opinion is entertained by many for whose judgment I entertain the highest respect, I have no hesitation in declaring that the convictions of my own judgment are well settled, that no such principle was contemplated in the adoption of our Constitution."

In view of this unanimity of sentiment among those best qualified to speak on the question, it is impossible to arrive at any other than the following conclusions, in regard to

THE POWERS OF THE CONSTITUTION.

1. That the Union is a permanent one, unless dissolved by the *people*. The ENACTING CLAUSE of the Constitution reads:—

"We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

2. That the Constitution is the SUPREME LAW OF THE LAND, to which all State laws are in subjection. Article 1, Section 8, of the Constitution prescribes that *Congress* shall have power to lay and collect duties, imposts and excises; to provide for the common de-

fence and welfare of the United States; to regulate commerce; to coin money; to establish post-offices and routes; to declare war, grant letters of marque; to make treaties, &c., &c.; and, finally, to make all laws necessary for carrying into execution the powers named and "all *other* powers vested by this Constitution in the Government of the United States, or in any department or office thereof." This is SUPREME AUTHORITY. The Constitution must be abrogated, as specified above *by the people* before it will or can cease to be supreme.

3. That States are positively prohibited from exercising any of the functions delegated to Congress, and, therefore, possess no power to act independently of Congress, nor to sit in judgment on Congress, nor to invalidate its acts. To do so, in defiance of Congress, is rebellion and treason.

4. That to nullify acts of Congress, to "secede" from the Union, are only criminal when

the laws of the United States are opposed and inoperative in any State, by any action of the State authorities, or by the people. Such opposition the President is bound by his oath to suppress. He has no option in the matter, and not to suppress it is just cause for his impeachment. Such opposition is rebellion, and rebellion is treason, whose punishment *Congress* alone is empowered to prescribe.

5. That "secession" is extra-constitutional, because the Constitution does not provide for it, did not contemplate it, cannot allow it. Secession is, therefore, revolution.

The right and duty of the President to recover property belonging to the Union which may have been seized and made use of by other parties it is unnecessary to question, so long as the foregoing deductions are admitted. It is *imperative* on him to recover such property, even to calling out an army as a *posse comitatus*.

CHAPTER VIII.

XXXVI CONGRESS, SECOND SESSION. MEETING THE QUESTION OF DISUNION. THE PRESIDENT'S MESSAGE. HOSTILE ATTITUDE OF SOUTHERN MEMBERS.

BOTH Houses of Congress assembled at noon, December 3rd. A full quorum being present the organization was immediately made. In the House of Representatives the Chaplain, Rev. Thomas Stockton, (Methodist,) delivered the following eloquent and touching prayer:—

Opening Prayer. "O, God! we remember the past, and we are grateful for the past. We thank Thee for the discovery of this New World. We thank Thee for the colonization of our part of it. We thank Thee for the establishment of our National Independence. We thank Thee for the organization of our National Union. We thank Thee for all the blessings we have enjoyed within this Union. National blessings, civil blessings, social blessings, all kinds of blessings, unspeakably great and precious blessings, such blessings as were never enjoyed by any other people since the world began! And now, O Lord our God,

we offer to Thee our humble praise for the past, the present, and for all the future. Will it please Thee, for Christ's sake, to grant us Thy special aid? Thou art very high and lifted up. Thou lookest down over the whole land, from lake to gulf, from sea to sea, from the rising of the sun to the going down thereof, and Thou knowest all our doings, and Thou knowest all our dangers. Thou knowest that our good men are at fault, and that our wise men are at fault; in the North and in the South, in the East and in the West, they are at fault. We know not what is best for us to do, and, with common consent, we come to Thee, O Lord our God! and we pray Thee to overrule all unreasonable and wicked men in all parts of our Confederacy. We pray Thee to inspire, and to strengthen, and to assist all true patriots in every part of the Union. May Thy blessing rest upon all departments of our Government. We remember with especial solicitude the President of the United States, and his immediate advisers. They lack wisdom, but if they call upon Thee Thou wilt give them

wisdom, for Thou givest it to all men liberally, and upbraideth not. While we trust that they pray for themselves, we here also pray for them. Let Thy holy spirit be granted unto them, and grant that they may speedily see what is exactly right for them to do, and grant them grace to do it, and to fully understand the position in which they are placed. We thank Thee for this bright and beautiful morning for the assembling of the two Houses of Congress. We pray that Thy blessing may rest on the Vice-President, and upon every Senator in his place; upon the Speaker of the House, and upon every member in his place. We rejoice to learn that they see their responsibilities, and that they feel their responsibilities, and that many of them are looking toward Thee for counsel and direction. O Lord, our God! let Thy own presence subdue every heart, every mind; and sanctify all actions to Thy own glory, and the greatness of our whole people. And O, grant that we may still live in peace and harmony in this blessed Union."

The President's Message was read on the 4th to both Houses. As it is the first communication from the Executive canvassing the great issue before the country, of a right of a State to withdraw at pleasure from the Union to become a foreign State, we are constrained to give all that portion of the Message relating to the question of secession. It is as follows:—

*"Fellow-Citizens of the Senate,
and House of Representatives:*

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"THROUGHOUT the year since our last meeting, the country has been eminently prosperous

in all its material interests. The general health has been excellent, our harvests have been abundant, and plenty smiles throughout the land. Our commerce and manufactures have been prosecuted with energy and industry, and have yielded fair and ample returns. In short, no nation in the tide of time has ever presented a spectacle of greater material prosperity than we have done until within a very recent period.

"Why is it, then, that discontent now so extensively prevails, and the Union of the States, which is the source of all these blessings, is threatened with destruction? The long-continued and intemperate interference of the Northern people with the question of Slavery in the Southern States has at length produced its natural effects. The different sections of the Union are now arrayed against each other, and the time has arrived, so much dreaded by the Father of his Country, when hostile geographical parties have been formed. I have long foreseen and

often forewarned my countrymen of the now impending danger. This does not proceed

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solely from the claims on the part of Congress or the Territorial Legislatures to exclude Slavery from the Territories, nor from the efforts of different States to defeat the execution of the Fugitive Slave law.

"All or any of these evils might have been endured by the South without danger to the Union (as others have been), in the hope that time and reflection might apply the remedy. The immediate peril arises not so much from these causes as from the fact that the incessant and violent agitation of the Slavery question throughout the North for the last quarter of a century, has at length produced its malign influence on the slaves, and inspired them with vague notions of freedom. Hence a sense of security no longer exists around the family altar. This feeling of peace at home has given place to apprehensions of servile insurrection. Many a matron throughout the South retires at night in dread of what may befall herself and her children before the morning. Should this apprehension of domestic danger, whether real or imaginary, extend and intensify itself until it shall pervade the masses of the Southern people, then disunion will become inevitable. Self-preservation is the first law of nature, and has been implanted in the heart of man by his Creator for the wisest purpose; and no political union, however fraught with blessings and benefits in all other respects, can long continue, if the necessary consequence be to render the homes and the fire-sides of nearly half the parties to it habitually and hopelessly insecure. Sooner or later the bonds of such a Union must be severed. It is my conviction that this fatal period has not yet arrived; and my prayer to God is, that he would preserve the Constitution and the Union throughout all generations.

"But let us take warning in time, and remove the cause of danger. It cannot be denied that, for five and twenty years, the agitation at the North against Slavery in the South has been incessant. In 1835, pictorial handbills and inflammatory appeals were circulated extensively throughout the South, of a character to excite the passions of the slaves; and, in the language of Gen. Jackson, 'to stimulate them to insurrection, and produce all the horrors of a servile war.' This agitation has ever since been continued by the public press, by the proceedings of State and County Conventions, and by Abolition sermons and lectures. The time of Congress has been occupied in violent speeches on this never-ending subject, and appeals in pamphlet and other forms indorsed by distinguished names, have been sent forth from this central point, and spread broadcast over the Union.

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"How easy would it be for the American people to settle the Slavery question forever, and to restore peace and harmony to this distracted country!

"They, and they alone, can do it. All that is necessary to accomplish the object, and all for which the Slave States have ever contended, is to be let alone, and permitted to manage their domestic institutions in their own way. As sovereign States, they, and they alone, are responsible before God and the world for the Slavery existing among them. For this, the people of the North are not more responsible, and have no more right to interfere, than with similar institutions in Russia or in Brazil. Upon their good sense and patriotic forbearance I confess I still greatly rely. Without their aid, it is beyond the power of any President, no matter what may be his own political proclivities, to restore peace and harmony among the States. Wisely limited and restrained as is his power, under our Constitution and laws, he alone can accomplish but little, for good or for evil, on such a momentous question.

"And this brings me to observe that the election of any one of our fellow-citizens to the office of President does not of itself afford just cause for dissolving the Union. This is more especially true if his election has been effected by a mere plurality, and not a majority, of the people, and has resulted from transient and temporary causes, which may probably never again occur. In order to justify a resort to revolutionary resistance, the Federal Government must be guilty of 'a deliberate, palpable, and dangerous exercise' of powers not granted by the Constitution. The late Presidential election, however, has been held in strict conformity with its express provisions. How, then, can the result justify a revolution to destroy this very Constitution? Reason, justice, a regard for the Constitution, all require that we shall wait for some overt and dangerous act on the part of the President elect before resorting to such a remedy.

"It is said, however, that the antecedents of the President elect have been sufficient to justify the fears of the South that he will attempt to invade their constitutional rights. But are such apprehensions of contingent danger in the future sufficient to justify the immediate destruction of the noblest system of government ever devised by mortals? From the very nature of his office, and its high responsibilities, he must necessarily be conservative. The stern duty of administering the vast and complicated concerns of this Government affords in itself a guarantee that he will not attempt any violation of a clear constitutional right. After all, he is no more than the chief executive officer of the Government.

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His province is not to make, but to execute, the laws; and it is a remarkable fact in our history, that, notwithstanding the repeated efforts of the Anti-Slavery party, no single act has ever passed Congress, unless we may possibly except the Missouri Compromise, impairing, in the slightest degree, the rights of the South to their property in slaves. And it may also be observed, judging from the present indications, that no probability exists of the passage of such an act, by a majority of both Houses, either in the present or the next Congress. Surely, under these circumstances, we ought to be restrained from present action by the precept of Him who spake as never man spake, that 'sufficient unto the day is the evil thereof.' The day of evil may never come, unless we shall rashly bring it upon ourselves.

"It is alleged as one cause for immediate secession that the Southern States are denied equal rights with the other States in the common Territories. But by what authority are these denied? Not by Congress, which has never passed, and I believe never will pass, any act to exclude Slavery from these Territories; and certainly not by the Supreme Court, which has solemnly decided that slaves are property, and, like all other property, their owners have a right to take them into the common Territories, and hold them there under the protection of the Constitution.

"So far, then, as Congress is concerned, the objection is not to anything they have already done, but to what they may do hereafter. It will surely be admitted that this apprehension of future danger is no good reason for an immediate dissolution of the Union. It is true that the Territorial Legislature of Kansas, on the 23d of February, 1860, passed in great haste an act, over the veto of the Governor, declaring that Slavery 'is, and shall be, forever prohibited in this Territory.' Such an act, however, plainly violating the rights of property secured by the Constitution, will surely be declared void by the Judiciary whenever it shall be presented in a legal form.

"Only three days after my inauguration, the Supreme Court of the United States solemnly adjudged that the power did not exist in a Territorial Legislature. Yet, such has been the factious temper of the times, that the correctness of this decision has been extensively impugned before the people, and the question has given rise to angry political conflicts throughout the country. Those who have appealed from this judgment of our highest constitutional tribunal to popular assemblies would, if they could, invest a Territorial Legislature with power to annul the sacred rights of property. This power Congress

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is expressly forbidden, by the Federal Constitution, to exercise. Every State Legislature in the Union is forbidden, by its own Constitution to exercise it. It cannot be exercised in any State except by the people, in their highest sovereign capacity, when framing or amending their State Constitution.

"In like manner, it can only be exercised by the people of a Territory represented in a convention of delegates, for the purpose of framing a Constitution, preparatory to admission as a State into the Union. Then, and not until then, are they invested with power to decide the question whether Slavery shall or shall not exist within their limits. This is an act of sovereign authority, and not of subordinate Territorial Legislation. Were it otherwise, then indeed, would the equality of the States in the Territories be destroyed, and the right of property in slaves would depend, not upon the guarantees of the Constitution, but upon the shifting majorities of an irresponsible Territorial Legislature. Such a doctrine, from its intrinsic unsoundness, cannot long influence any considerable portion of our people, much less can it afford a good reason for a dissolution of the Union.

"The most palpable violations of constitutional duty which have yet been committed, consist in the acts of different State Legislatures to defeat the execution of the Fugitive Slave Law. It ought to be remembered, however, that for these acts neither Congress nor any President can justly be held responsible. Having been passed in violation of the Federal Constitution, they are, therefore, null and void. All the courts, both State and National, before whom the question has arisen, have from the beginning declared the Fugitive Slave law to be constitutional. The single exception is that of a State court in Wisconsin; and this has not only been reversed by the proper appellate tribunal, but has met with such universal reprobation that there can be no danger from it as a precedent. The validity of this law has been established over and over again by the Supreme Court of the United States with perfect unanimity. It is founded upon an express provision of the Constitution, requiring that fugitive slaves who escape from service in one State to another shall be 'delivered up' to their masters. Without this provision it is a well-known historical fact that the Constitution itself could never have been adopted by the Convention.

"In one form or other, under the acts of 1793 and 1850, both being substantially the same, the Fugitive Slave law has been the law of the land from the days of Washington until the present moment. Here, then, a clear case is presented, in which it will be the duty of the next President, as it has been

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my own, to act with vigor in executing this supreme law against the conflicting enactments of State Legislatures. Should he fail in the performance of this high duty, he will then have manifested a disregard of the Constitution and laws, to the great injury of the people of nearly one half of the States of the Union. But are we to presume in advance that he will thus violate his duty? This would be at war with every principle of justice and of Christian charity. Let us wait for the overt act. The Fugitive Slave Law has been carried into execution in every contested case since the commencement of the present administration; though often, it is to be regretted, with great loss and inconvenience to the master, and with considerable expense to the Government. Let us trust that the State Legislatures will repeal their unconstitutional and obnoxious enactments. Unless this shall be done without any necessary delay, it is impossible for any human power to save the Union.

"The Southern States, standing on the basis of the Constitution, have a right to demand this act of justice from the States of the North. Should it be refused, then the Constitution, to which all the States are parties, will have been wilfully violated by one portion of them in a provision essential to the domestic security and happiness of the remainder. In that event, the injured States, after having first used all peaceful and constitutional means to obtain redress, would be justified in revolutionary resistance to the Government of the Union.

"I have purposely confined my remarks to revolutionary resistance, because it has been claimed within the last few years that any State, whenever this shall be its sovereign will and pleasure, may secede from the Union, in accordance with the Constitution, and without any violation of the constitutional rights of the other members of the Confederacy. That, as each became parties to the Union by a vote of its own people assembled in Convention, so any one of them may retire from the Union in a similar manner by the vote of such a Convention.

"In order to justify secession as a constitutional remedy, it must be on the principle that the Federal Government is a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties. If this be so, the Confederacy is a rope of sand, to be penetrated and dissolved by the first adverse wave of public opinion in any of the States. In this manner our thirty-three States may resolve themselves into as many petty, jarring, and hostile republics, each one retiring from the Union, without responsibility, whenever any sudden excitement might impel them to such a course. By this

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process a Union might be entirely broken into fragments in a few weeks, which cost our forefathers many years of toil, privation, and blood to establish.

"Such a principle is wholly inconsistent with the history as well as the character of the Federal Constitution. After it was framed, with the greatest deliberation and care, it was submitted to Conventions of the people of the several States for ratification. Its provisions were discussed at length in these bodies, composed of the first men of the country. Its opponents contended that it conferred powers upon the Federal Government dangerous to the rights of the States, while its advocates maintained that under a fair construction of the instrument there was no foundation for such apprehensions. In that mighty struggle between the first intellects of this or any other country, it never occurred to any individual, either among its opponents or advocates, to assert, or even to intimate, that their efforts were all vain labor, because the moment any State felt herself aggrieved she might secede from the Union. What a crushing argument would this have proved against those who dreaded that the rights of the States would be endangered by the Constitution! The truth is, that it was not until many years after the origin of the Federal Government that such a proposition was first advanced.

"It was then met and refuted by the conclusive arguments of General Jackson, who, in his message of 16th January, 1833, transmitting the nullifying ordinance of South Carolina to Congress, employs the following language: 'The right of the people of a single State to absolve themselves at will, and without the consent of the other States, from their most solemn obligations, and hazard the liberty and happiness of the millions composing this Union, cannot be acknowledged. Such authority is believed to be utterly repugnant both to the principles upon which the General Government is constituted, and to the objects which it was expressly formed to attain.'

"It is not pretended that any clause in the Constitution gives countenance to such a theory. It is altogether founded upon inference, not from any language contained in the instrument itself, but from the sovereign character of the several States by which it was ratified. But is it beyond the power of a State, like an individual, to yield a portion of its sovereign rights to secure the remainder? In the language of Mr. Madison, who has been called the Father of the Constitution:—'It was formed by the States—that is, by the people in each of the States, acting in their highest sovereign capacity; and formed, consequently, by the same authority which formed the State Constitutions.'

"Nor is the Government of the United States, created by the Constitution, less a Gov-

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ernment in the strict sense of the term, within the sphere of its powers, than the governments created by the constitutions of the States are, within their several spheres. It is, like them, organized into legislative, executive, and judiciary departments. It operates, like them, directly on persons and things; and, like them, it has at command a physical force for executing the powers committed to it.

"It was intended to be perpetual, and not be annulled at the pleasure of any one of the contracting parties. The old Articles of Confederation were entitled 'Articles of Confederation and Perpetual Union between the States;' and by the 13th article it is expressly declared that 'the articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual.' The preamble to the Constitution of the United States, having express reference to the articles of Confederation, recites that it was established 'in order to form a more perfect Union.' And yet it is contended that this 'more perfect Union' does not include the essential attribute of perpetuity.

"But that the Union was designed to be perpetual appears conclusively from the nature and extent of the powers conferred by the Constitution on the Federal Government. These powers embrace the very highest attributes of national sovereignty. They place both the sword and the purse under its control. Congress has power to make war and to make peace; to raise and support armies and navies, and to conclude treaties with foreign Governments. It is invested with the power to coin money, and to regulate the value thereof, and to regulate commerce with foreign nations, and among the several States. It is not necessary to enumerate the other high powers which have been conferred upon the Federal Government. In order to carry the enumerated powers into effect, Congress possesses the exclusive right to lay and collect duties on imports, and in common with the States to lay and collect all other taxes.

"But the Constitution has not only conferred these high powers upon Congress, but it has adopted effectual means to restrain the States from interfering with their exercise. For that purpose it has, in strong prohibitory language, expressly declared that 'no State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts.' Moreover, 'without the consent of Congress, no State shall lay

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any imposts or duties on any imports or exports, except what may be absolutely necessary for executing its inspection laws;' and if they exceed this amount, the excess shall belong to the United States.

"And 'no State shall, without the consent of Congress, lay any duty of tonnage; keep troops, or ships of war, in time of peace; enter into any agreement or compact with another State, or with a foreign power; or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.'

"In order still further to secure the uninterrupted exercise of these high powers against State interposition, it is provided 'that this Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the Judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.'

"The solemn sanction of religion has been superadded to the obligations of official duty, and all Senators and Representatives of the United States, all members of State Legislatures, and all executive and judicial officers, 'both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution.'

"In order to carry into effect these powers, the Constitution has established a perfect Government in all its forms, legislative, executive, and judicial; and this Government, to the extent of its powers, acts directly upon the individual citizen of every State, and executes its own decrees by the agency of its own officers. In this respect it differs entirely from the Government under the old Confederation, which was confined to making requisitions on the States in their sovereign character. This left it in the discretion of each whether to obey or to refuse, and they often declined to comply with such requisition. It thus became necessary, for the purpose of removing this barrier, and, 'in order to form a more perfect Union,' to establish a Government which could act directly upon the people, and execute its own laws without the intermediate agency of the States. This has been accomplished by the Constitution of the United States.

"In short, the Government created by the Constitution, and deriving its authority from the sovereign people of each of the several States, has precisely the same right to exercise its power over the people of all these States, in the enumerated cases, that each one of them possesses over subjects not

delegated to the United States, but 'reserved to the States, respectively, or to the people.'

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"To the extent of the delegated powers, the Constitution of the United States is as much a part of the Constitution of each State, and is as binding upon its people, as though it had been textually inserted therein.

"This Government, therefore, is a great and powerful Government, invested with all the attributes of sovereignty over the special subjects to which its authority extends. Its framers never intended to implant in its bosom the seeds of its own destruction; nor were they, at its creation, guilty of the absurdity of providing for its own dissolution. It was not intended by its framers to be the baseless fabric of a vision, which, at the touch of the enchanter, would vanish into thin air, but a substantial and mighty fabric, capable of resisting the slow decay of time, and of defying the storms of ages. Indeed, well may the jealous patriots of that day have indulged fears that a Government of such high powers might violate the reserved rights of the States, and wisely did they adopt the rule of a strict construction of these powers to prevent the danger! But they did not fear, nor had they any reason to imagine, that the Constitution would ever be so interpreted as to enable any State, by her own act, and without the consent of her sister States, to discharge her people from all or any of their Federal obligations.

"It may be asked, then, are the people of the States without redress against the tyranny and oppression of the Federal Government? By no means. The right of resistance on the part of the governed against the oppression of their Governments cannot be denied. It exists independently of all Constitutions, and has been exercised at all periods of the world's history. Under it old governments have been destroyed, and new ones have taken their place. It is embodied in strong and express language in our own Declaration of Independence. But the distinction must ever be observed, that this is revolution against an established Government, and not a voluntary secession from it by virtue of an inherent constitutional right. In short, let us look the danger fairly in the face: secession is neither more nor less than revolution. It may or it may not be a justifiable revolution, but still it is a revolution.

"What, in the meantime, is the responsibility and true position of the Executive? He is bound by solemn oath before God and the country 'to take care that the laws be faithfully executed,' and from this obligation he cannot be absolved by any human power. But what if the performance of this duty, in whole or in part, has been rendered impracticable

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by events over which he could have exercised no control?

Such at the present moment, is the case throughout the State of South Carolina, so far as the laws of the United States to secure the administration of justice by means of the Federal Judiciary are concerned. All the Federal officers within its limits, through whose agency alone these laws can be carried into execution, have already resigned. We no longer have a District-Judge, a District-Attorney, or a Marshal, in South Carolina. In fact, the whole machinery of the Federal Government necessary for the distribution of remedial justice among the people has been demolished, and it would be difficult, if not impossible, to replace it.

"The only acts of Congress on the statute-book, bearing upon this subject, are those of the 28th February, 1795, and 3d March, 1807. These authorize the President, after he shall have ascertained that the marshal, with his *posse comitatus*, is unable to execute civil or criminal process in any particular case, to call forth the militia and employ the army and navy to aid him in performing this service, having first by Proclamation commanded the insurgents to 'disperse and retire peaceably to their respective abodes, within a limited time.' This duty cannot by possibility be performed in a State where no judicial authority exists to issue process, and where there is no marshal to execute it, and where, even if there were such an officer, the entire population would constitute one solid combination to resist him.

"The bare enumeration of these provisions proves how inadequate they are without further legislation to overcome a united opposition in a single State, not to speak of other States who may place themselves in a similar attitude. Congress alone has power to decide whether the present laws can or cannot be amended so as to carry out more effectually the objects of the Constitution.

"The same insuperable obstacles do not lie in the way of executing the laws for the collection of the customs. The revenue still continues to be collected, as heretofore, at the Custom-House in Charleston; and should the Collector unfortunately resign, a successor may be appointed to perform this duty.

"Then, in regard to the property of the United States in South Carolina. This has been purchased for a fair equivalent, 'by the consent of the Legislature of the State,' 'for the erection of forts, magazines, arsenals,' &c., and over these the authority 'to exercise exclusive legislation' has been expressly granted by the Constitution to Congress. It is not believed that any attempt will be made to expel the United States from this property by force; but if in this I should prove to be mistaken, the officer

in command of the forts has

received orders to act strictly

on the defensive. In such a

contingency, the responsibility for consequences would rightfully rest upon the heads of the assailants.

"Apart from the execution of the laws, so far as this may be practicable, the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to change the relations heretofore existing between them, much less to acknowledge the independence of that State. This would be to invest a mere Executive officer with the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States. It bears no resemblance to the recognition of a foreign *de facto* Government, involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question in all its bearings. The course of events is so rapidly hastening forward, that the emergency may soon arise, when you may be called upon to decide the momentous question whether you possess the power, by force of arms, to compel a State to remain in the Union. I should feel myself recreant to my duty were I not to express an opinion on this important subject.

"The question fairly stated is:—Has the Constitution delegated to Congress the power to coerce a State into submission which is attempting to withdraw, or has actually withdrawn, from the Confederacy? If answered in the affirmative, it must be on the principle that the power has been conferred upon Congress to declare and to make war against a State. After much serious reflection, I have arrived at the conclusion that no such power has been delegated to Congress, or to any other department of the Federal Government. It is manifest, upon an inspection of the Constitution, that this is not among the specific and enumerated powers granted to Congress; and it is equally apparent that its exercise is not 'necessary and proper for carrying into execution' any one of these powers. So far from this power having been delegated to Congress, it was expressly refused by the Convention which framed the Constitution.

"It appears from the proceedings of that body, that on the 31st May, 1787, the clause 'authorizing an exertion of the force of the whole against a delinquent State,' came up for consideration. Mr. Madison opposed it in a brief but powerful speech, from which I shall extract but a single sentence.

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He observed:—'The use of force against a State would look more like a declaration of war than an infliction of punishment; and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound.' Upon his motion, the clause was unanimously postponed, and was never, I believe, again presented. Soon afterward, on the 8th June, 1787, when incidentally adverting to the subject, he said:—'Any Government for the United States, formed on the supposed practicability of using force against the unconstitutional proceedings of the States, would prove as visionary and fallacious as the Government of Congress,' evidently meaning the then existing Congress of the old Confederation.

"Without descending to particulars, it may be safely asserted that the power to make war against a State is at variance with the whole spirit and intent of the Constitution. Suppose such a war should result in the conquest of a State, how are we to govern it afterward? Shall we hold it as a province, and govern it by despotic power? In the nature of things we could not, by physical force, control the will of the people, and compel them to elect Senators and Representatives to Congress, and to perform all the other duties depending upon their own volition, and required from the free citizens of a free State, as a constituent member of the Confederacy.

"But, if we possessed this power, would it be wise to exercise it under existing circumstances? The object would doubtless be to preserve the Union. War would not only present the most effectual means of destroying it, but would banish all hope of its peaceable reconstruction. Besides, in the fraternal conflict, a vast amount of blood and treasure would be expended, rendering future reconciliation between the States impossible. In the meantime, who can foretell what would be the sufferings and privations of the people during its existence?

"The fact is, that our Union rests upon public opinion, and can never be cemented by the blood of its citizens shed in civil war. If it cannot live in the affections of the people, it must one day perish. Congress possess many means of preserving it by conciliation; but the sword was not placed in their hand to preserve it by force.

"But may I be permitted solemnly to invoke my countrymen to pause and deliberate, before they determine to destroy this, the grandest temple which has ever been dedicated to human freedom since the world began? It has been consecrated by the blood of our fathers, by the glories of the past, and by the hopes of the future. The Union has already made us the most prosperous, and, ere long, will, if pre-

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served, render us the most powerful nation on the face of the earth. In every foreign region of the globe the title of American citizen is held in the highest respect, and when pronounced in a foreign land it causes the hearts of our countrymen to swell with honest pride. Surely, when we reach the brink of the yawning abyss, we shall recoil with horror from the last fatal plunge. By such a dread catastrophe the hopes of the friends of freedom throughout the world would be destroyed, and a long night of leaden despotism would enshroud the nations. Our example for more than eighty years would not only be lost, but it would be quoted as a conclusive proof that man is unfit for self-government.

"It is not every wrong—nay, not every grievous wrong—which can justify a resort to such a fearful alternative. This ought to be the last desperate remedy of a despairing people, after every other constitutional means of conciliation had been exhausted. We should reflect that under this free Government there is an incessant ebb and flow in public opinion. The Slavery question, like everything human, will have its day. I firmly believe that it has already reached and passed its culminating point. But if, in the midst of the existing excitement, the Union shall perish, the evil may then become irreparable. Congress can contribute much to avert it by proposing and recommending to the Legislatures of the several States the remedy for existing evils, which the Constitution has itself provided for its own preservation. This has been tried at different critical periods of our history, and always with eminent success. It is to be found in the 5th article providing for its own amendment. Under this article amendments have been proposed by two-thirds of both Houses of Congress, and have been 'ratified by the Legislatures of three-fourths of the several States,' and have consequently become parts of the Constitution. To this process the country is indebted for the clause prohibiting Congress from passing any law respecting an establishment of religion, or abridging the freedom of speech or of the press, or of the right of petition. To this we are, also, indebted for the Bill of Rights, which secures the people against any abuse of power by the Federal Government. Such were the apprehensions justly entertained by the friends of State rights at that period as to have rendered it extremely doubtful whether the Constitution could have long survived without these amendments.

"Again, the Constitution was amended by the same process after the election of President Jefferson by the House of Representatives, in February, 1803. This amendment was rendered necessary to prevent a recurrence of the dangers which had seri-

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ously threatened the existence of the Government during the pendency of that election. The article for its own amendment was intended to secure the amicable adjustment of conflicting constitutional questions like the present, which might arise between the Governments of the States and that of the United States. This appears from cotemporaneous history. In this connection, I shall merely call attention to a few sentences in Mr. Madison's justly celebrated report in 1799 to the Legislature of Virginia. In this he ably and conclusively defended the resolutions of the preceding Legislature against the strictures of several other State Legislatures. These were mainly founded upon the protest of the Virginia Legislature against the 'Alien and Sedition Acts,' as 'palpable and alarming infractions of the Constitution.' In pointing out the peaceful and constitutional remedies, and he referred to none other, to which the States were authorized to resort on such occasions, he concludes by saying, 'that the Legislatures of the States might have made a direct representation to Congress with a view to obtain a rescinding of the two offensive acts, or they might have represented to their respective Senators in Congress their wish that two-thirds thereof would propose an explanatory amendment to the Constitution, or two-thirds of themselves, if such had been their option, might, by an application to Congress, have obtained a convention for the same object.'

"This is the very course which I earnestly recommend in order to obtain an 'explanatory amendment' of the Constitution on the subject of Slavery. This might originate with Congress or the State Legislatures, as may be deemed most advisable to attain the object.

"The explanatory amendment might be confined to the final settlement of the true construction of the Constitution on three special points:

"1. An express recognition of the right of property in slaves in the States where it now exists or may hereafter exist.

"2. The duty of protecting this right in all the common Territories throughout their territorial existence, and until they shall be admitted as States into the Union, with or without Slavery, as their Constitutions may prescribe.

"3. A like recognition of the right of the master to have his slave, who has escaped from one State to another, restored and 'delivered up' to him, and of the validity of the Fugitive Slave law enacted for this purpose, together with a declaration that all State laws impairing or defeating this right are violations of the Constitution, and are consequently null and void.

"It may be objected that this construction of the

Constitution has already been settled by the Supreme Court of the United States, and what

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more ought to be required? The answer is, that a very large proportion of the people of the United States still contest the correctness of this decision, and never will cease from agitation and admit its binding force until clearly established by the people of the several States in their sovereign character. Such an explanatory amendment would, it is believed, forever terminate the existing dissensions and restore peace and harmony amongst the States.

"It ought not to be doubted that such an appeal to the arbitrament established by the Constitution itself would be received with favor by all the States of the Confederacy. In any event, it ought to be tried in a spirit of conciliation before any of these States shall separate themselves from the Union.

"When I entered upon the duties of the Presidential office, the aspect neither of our foreign nor domestic affairs was at all satisfactory. We were involved in dangerous complications with several nations, and two of our Territories were in a state of revolution against the Government. A restoration of the African slave-trade had numerous and powerful advocates. Unlawful military expeditions were countenanced by many of our citizens, and were suffered, in defiance of the efforts of the Government, to escape from our shores, for the purpose of making war upon the unoffending people of neighboring republics with whom we were at peace. In addition to these and other difficulties, we experienced a revulsion in monetary affairs, soon after my advent to power, of unexampled severity and of ruinous consequences to all the great interests of the country. When we take a retrospect of what was then our condition, and contrast this with its material prosperity at the time of the late Presidential election, we have abundant reason to return our grateful thanks to that merciful Providence which has never forsaken us as a nation in all our past trials."

In the house its reading was followed by a motion by Mr. Boteler, of Virginia, as follows:

Resolved, That so much of the President's Message as relates

Important Committee.

to the present perilous condition of the country, be referred to a special committee of one from each State, with leave to report at any time.

This, after several amendments and substitutes had been offered, was adopted—the last clause, "with leave to report at any time," being omitted.* The vote stood, on its adop-

* One of the substitutes offered by Mr. McClernand of Illinois, was as follows:—

tion, 145 to 38; not voting, 52. This latter number embraced all the South Carolina delegation, and most of the delegations from Florida, Alabama, Georgia, and Mississippi. The reason openly offered by these members was, that their States had, in their sovereign capacities, ordered conventions to consider this very question of Federal Relations, and that they alone had power to settle the matter. This very position was, in itself, a direct avowal of a purpose to thwart all legislation looking to settlement or compromise. The Florida member added to his excuse for not voting, that "he was against all compromises now, as he had been in times past." We may remark that, with one or two personal exceptions, up to the time of the withdrawal of these delegations from Congress, after the passage of secession ordinances in their respective States, they studiously and persistently struggled against compromise, and sought by all possible means to prevent legislation looking to that end.

Union Resolution Rejected.

Mr. Morris, of Illinois, (Democrat), read the following resolution, and asked

leave to introduce it:—

"Resolved, That we are unalterably and immovably attached to the Union of the States; that we recognize in the Union the primary cause of our present greatness and prosperity as a nation, and have as yet seen nothing, either in the election of Abraham Lincoln to the Presidency, or from any other source, to justify its dissolution; and that we pledge to each other our lives, our fortunes, and our sacred honor, to maintain it."

Resolved, That so much of the President's annual message as relates to the matters of grievance between the States, and the proposal by Congress of amendments to the Constitution of the United States for the ratification of the several States, and to the question of State secession from the Federal Union, be referred to a select committee, to consist of one from each State, to be appointed by the Speaker; and that such committee be instructed to inquire and report by bill, or by proposing an amendment or amendments to the Constitution of the United States, or otherwise, upon such subject; and particularly whether any further legislation or amendment of the Constitution is necessary to give prompt, certain and full effect to the last clause of the second section of the fourth Article of the Constitution, concerning the return of fugitives from service or labor.

Ruffin, of North Carolina, and other Southern members, strenuously opposed its introduction. To stay the consideration of the resolution, an adjournment was moved and carried.

This first day's proceedings indicated pretty clearly the *predetermined* disunion character of the Southern opposition. It became painfully apparent that no settlement or compromise was wanted.

In the Senate, the opposition assumed the shape of a violent attack upon the President's Message by Mr. Clingman, of North Carolina. He regarded submission as impossible on the part of the South, asserting that Mr. Lincoln was elected because he *was* a dangerous man—that he was taken up to make war on the South. The President said truly that, in the hands of the Senate and House, Mr. Lincoln would be powerless for harm; but the Speaker said the same majority which elected him would soon entirely control both houses. Against the rule of a majority he disclaimed—the Constitution never contemplated such a state of affairs as a "sectional majority." The course of the South, he maintained, was one of defence. He thought South Carolina "had shown commendable patience." He said, in regard to the Border State conservatism:—

Clingman's Disunion Speech.

"Gentlemen say that these Border States have the most reason to complain. But what has been the past history of the country? We all know that in 1850, when there was a great struggle going on to get a fair settlement, which would have placed the South in a fair position, the Border States were the first to leave us in the struggle. They were the first to be satisfied with the Fugitive Slave law. I do not mean to say that all of them did, for the Senators from Virginia were not satisfied so well. And again, last winter, the State of South Carolina sent a Commissioner to Virginia. There was a great howl from the Press, North and South, of Unionism, and Virginia was called upon not to go into any of the South Carolina disunion schemes. I think it unfortunate that no action was taken then. Their position is like two persons who have received contempt, and one says that the other shall not go away, for then all the blows will fall upon him, and wants the other to stand by him. If any foreign power had treated us so, we should have had war immediately. Gentlemen talk about the repeal of these laws, but *I am free to say that such repeal would not be satisfactory to*

the State from which I came. I do not see how any Southern man can make that proposition."

He thought the wisest thing Congress could do would be to divide the public property fairly. He did not understand the President's purpose to collect the revenue when he confessed his want of power to coerce a seceded State. He thought it was not right to wait for any overt act of Mr. Lincoln, who, he thought, would try to provoke a fight between the people of the South. He added:—

"They want to get up a free debate, as the Senator from New York (Mr. Seward) expressed it, in one of his speeches. But a Senator from Texas told me the other day that *a great many of these free debaters were hanging from the trees of that country.* I have no doubt they would run off a great many slaves from the Border States, so as to make them Free States, and then, Sir, when the overt act was struck, we should have a hard struggle. I say, therefore, that our policy is not to let this thing continue. That, I think, is the opinion of North Carolina. I think the party for immediate secession is gaining ground rapidly. It is idle for men to shut their eyes to consequences like this, if anything can be done to avert the evil while we have the power to do it."

Crittenden's Union
Speech.

This speech, coming from a North Carolina man, somewhat surprised the Senate. It proved how deep-seated the disunion disease had struck. Mr. Crittenden, of Kentucky, replied, deeply regretting the utterance of such sentiments. He plead for Union, conciliation, compromise. He did not wish to make a speech, but could not refrain from expressing the hope that the example of the gentleman would not be followed, and that they would not allow themselves to be involved in any such discussion. They had better not have come at all, if they did not come with the intention to solemnly deliberate in the great questions thus thrust upon us.¹ This Union was established by great sacrifices, and it is as worthy of great sacrifices and great concessions for its maintenance. And he trusted there was no Senator but was willing to yield and conciliate, and to compromise, in order to preserve the Union to the nation and to the country. He looked with dismay, and with something like despair, to the condition of this country when the Union is stricken down, and we shall be

turned loose to speculate on the foundations of a new government. He looked at it with fear and trembling, which pre-disposed him to the most solemn consideration that he was capable of feeling, and to search out, if possible, some means for the reconciliation of the different sections and members of this Union, to see if we cannot again restore that harmony and fraternity that belong to the Union, which has given us so much blessing and prosperity. He hoped they should not have anything irritating or angry, when their duties required solemn deliberation and thought. He trusted they would not allow themselves to be involved in angry discussion now; that we should have no expressions to be detailed over and over again. Let us look to the future and the present only to see what can be done to avoid the evil and to lead to the adoption of good feeling in every portion of this House, and see if we cannot arrive at a satisfactory conclusion of the question. He would not now allude any further to any question of the Message; but as to the question of Mr. Lincoln's election being cause for disunion, there is a great diversity of opinion. He did not believe there was a man in the State of Kentucky who was in favor of disunion. They were Union-loving men, and he believed such men were to be found in North Carolina, judging from the noble character of the State and her representatives here. She has always, with the noble firmness in her character, carried the olive branch in her hand, and he hoped the gentleman, on reconsideration, would unite with them, not doubting but that he had as true a respect for the country as any one.

These remarks seemed to reassure the conservatives in the Senate of the cooperation of Mr. Crittenden, and the country looked hopefully to him to pour oil upon the troubled waters.

The second day's session of the Senate was a stirring one. Messrs. Iverson, of Georgia, Brown, of Mississippi, and Wigfall, of Texas, all made exciting declarations of resistance to resistance against the movement for disunion. Mr. Hale, of New Hampshire, created the storm by a speech "for himself"—made, as it was understood, without the

Exciting Debate.

endorsement of his fellow Republicans, who "had determined to leave all the speaking to the Southern Fire Eaters." Their policy was not to aggravate matters, nor to lay a word in the way of a settlement. In the course of Mr. Iverson's remarks several important points were elucidated. Alabama, he averred, would secede on the 7th of January, Georgia on the 16th, "and before the 4th of March—before your President is inaugurated, there will be five States, if not eight, that will be out of the Union, and will have formed a Constitution for a frame of Government."

Iverson's Disunion
Speech.

Nothing would prevent the dissolution of the Union. Concessions were not only not wanted but would not be accepted. He said:—

"Gentlemen speak of concession—of the repeal of the Personal Liberty bills. Repeal them all tomorrow, and you cannot stop this revolution. It is not the Liberty laws but the mob law which the South fears. They do not dread these overt acts, for, without the power of the Federal Government, by force, under the Republican rule, their institution would not last ten years, and they know it. They intend to go out of this Union, and he believed this. Before the fourth of March five States will have declared their independence, and he was satisfied that three other States would follow as soon as the action of the people can be had. Arkansas will call her Convention, and Louisiana would follow. And though there is a clog in the way in the lone star of Texas, in the person of the Governor, who will not consent to call the Legislature, yet the public sentiment is so strong that even her Governor may be overriden; and if he will not yield to that public sentiment, some Texan Brutus may arise to rid his country of this old, hoary-headed traitor. [Great sensation.] There has been a good deal of vaporing and threatening, but they came from the last men who would carry out their threats. Men talk about their eighteen millions, but we hear a few days afterward of these same men being switched in the face, and they tremble like a sheep-stealing dog. There will be no war. The North, governed by such far-seeing statesmen as the Senator from New York (Mr. Seward), will see the futility of this. In less than twelve months a Southern Confederacy will be formed, and it will be the most successful Government on earth. The Southern States, thus banded together, will be able to resist any force in the world. We do not expect war, but we will be prepared for it, and we are not a feeble race of Mexicans either."

Mr. Iverson conceded that secession *was*

revolution. Every State, he said, went from the Union at its peril, and must take the consequences. He claimed no *rights* of secession under the Constitution—differing, in this, from his colleagues, who asserted the *right* to dissolve the Federal compact at will.

These disunion expressions were reproved by Mr.

Delaware for the
Union.

Saulsbury, of Delaware, who made a brief but highly patriotic speech. He spoke for Delaware. Her people had done too much and performed too many services in achieving our glorious liberty which we now enjoy, and in the establishment of the Constitution under which we now live, and no son of hers will ever raise a hand to strike a blow against the Constitution or against the Union. When that Union shall be destroyed, by the madness and folly of others, if unfortunately it should be, it will then be time enough for Delaware, and for her Representatives, to say what her course will be. This speech was heartily received by the galleries, which were now uniformly filled by an anxious and excitable crowd of both sexes.

Dec. 6th, the Speaker of the House announced the Committee on Mr. Bot-

The Committee of
Thirty-Three.

ler's resolution, of one from each State, to consider that part of the President's Message relating to the distracted state of the country. It was designed to postpone the announcement to December 10th, but the urgency of Conservative Southern men to take the question into consideration, and thus to arrest growing excitement, induced an early nomination and announcement of the members of the Committee, as follows:—

Thomas Corwin, of Ohio, *Chairman*.

John S. Millson, Va.	Ch. Francis Adams, Mass.
Warren Winslow, N. C.	James Humphrey, N. Y.
Wm. W. Boyce, S. C.	James H. Campbell, Pa.
Peter E. Love, Ga.	Orris S. Ferry, Conn.
H. Winter Davis, Md.	Christopher Robinson, R.I.
Wm. G. Whiteley, Del.	Mason W. Tappan, N.H.
J. L. N. Stratton, N. J.	Francis S. Bristow, Ky.
John S. Morrill, Vt.	Thos. A. R. Nelson, Tenn.
Wm. M. Dunn, Ind.	Miles Taylor, La.
Reuben Davis, Miss.	William Kellogg, Ill.
George Houston, Ala.	Freeman H. Morse, Maine.
John S. Phelps, Mo.	Albert Rust, Ark.
Wm. A. Howard, Mich.	George S. Hawkins, Fla.

A. J. Hamilton, Texas. C. C. Washburne, Wis.
 Samuel R. Curtis, Iowa. John C. Burch, Cal.
 William Windom, Minn. Lansing Stout, Oregon.

The political cast embraced sixteen Republicans and seventeen Opposition. Conservative men were named upon both sides, so far as such could be found. It introduced, of necessity, several "Fire-Eaters," or peremptory secessionists, one of whom, Mr. Hawkins, of Florida, begged to be excused from serving. He declared against any compromise, and could not serve on any Union-saving committee. This step had been anticipated; and, to prevent other Southerners from preferring requests for non-service, Mr. Millson, of Virginia, moved to adjourn. The House adjourned, by a vote of 104 to 92, to Monday, December 10th. Mr. Corwin requested the interval for the purpose of giving members of the committee time for conference and fraternization.

The Senate also adjourned to Monday, without acting on Mr. Powell's proposition for a Special Committee of Thirteen on the Crisis.

We may here subjoin—to place before the reader the entire argument on the question at issue—the Attorney General's official opinion as laid by the President before Congress. It formed the basis of his own argument against the power to coerce a State. It is an able and lucid paper, reflecting credit upon its author, Judge J. S. Black:

"ATTORNEY-GENERAL'S
 OFFICE, NOV. 20, 1860.

The Attorney General's
 Opinion.

"SIR: I have had the honor to receive your note of the 17th, and I now reply to the grave questions therein propounded as fully as the time allowed me will permit.

"Within their respective spheres of action the Federal Government and the Government of a State are both of them independent and supreme, but each is utterly powerless beyond the limits assigned to it by the Constitution. If Congress would attempt to change the law of descents, to make a new rule of personal succession, or to dissolve the family relations existing in any State, the act would be simply void, but no more void than would be a State law to prevent the recapture of fugitives from labor, to forbid the carrying of the mails, or to stop the collection of duties on imports. The will of a State, whether expressed in its Constitution or laws, cannot, while it remains in the Confederacy, absolve her people from the

duty of obeying the just and constitutional requirements of the Central Government. Nor

The Attorney-General's
 Opinion.

can any act of the Central Government displace the jurisdiction of a State, because the laws of the United States are supreme and binding only so far as they are passed *in pursuance of the Constitution*. I do not say what might be effected by mere revolutionary force. I am speaking of legal and constitutional right.

"This is the view always taken by the judiciary, and so universally adopted that the statement of it may seem commonplace. The Supreme Court of the United States has declared it in many cases. I need only to refer you to the United States *agt.* Booth, where the present Chief Justice, expressing the unanimous opinion of himself and all his brethren, enunciated the doctrine in terms so clear and full, that any further demonstration of it can scarcely be required.

"The duty which these principles devolve not only upon every officer, but every citizen, is that which Mr. Jefferson expressed so compendiously in his first inaugural, namely:—'To support the State Governments, in all their rights, as the most competent administrations for their domestic concerns, and the surest bulwarks against anti-Republican tendencies,' combined with the 'preservation of the General Government, in its whole constitutional vigor, as the sheet-anchor of our peace at home and safety abroad.'

"To the Chief Executive Magistrate of the Union is confided the solemn duty of seeing the laws faithfully executed. That he may be able to meet this duty with a power equal to its performance, he nominates his own subordinates and removes them at his pleasure. For the same reason the land and naval forces are under his orders as their Commander-in-chief. But his power is to be used not in the manner prescribed by the legislative department. He cannot accomplish a legal purpose by illegal means, or break the laws himself to prevent them from being violated by others.

"The acts of Congress sometimes give the President a broad discretion in the use of the means by which they are to be executed, and sometimes limit his power so that he can exercise it only in a certain prescribed manner. Where the law directs a thing to be done, without saying how, that implies the power to use such means as may be necessary and proper to accomplish the end of the Legislature. But where the mode of performing a duty is pointed out by statute, that is the exclusive mode, and no other can be followed. The United States have no common law to fall back upon when the written law is defective. If, therefore, an act of Congress de-

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clares that a certain thing shall be done by a particular officer, it cannot be done by a different officer. The agency which the law furnishes for its own execution must be used, to the exclusion of all others. For instance, the revenues of the United States are to be collected in a certain way, at certain established ports, and by a certain class of officers; the President has no authority, under any circumstances, to collect the same revenues at other places, by a different sort of officers, or in ways not provided for. Even if the machinery furnished by Congress for the collection of the duties should by any cause become so deranged or broken up that it could not be used, that would not be a legal reason for substituting a different kind of machinery in its place.

"The law requires that all goods imported into the United States within certain collection districts shall be entered at the proper port, and the duty thereon shall be received by the Collector appointed for and residing at that port. But the functions of the Collector may be exercised anywhere at or within the port. There is no law which confines him to the Custom-House, or to any other particular spot. If the Custom-House were burnt down, he might remove to another building; if he were driven from the shore, he might go on board a vessel in the harbor. If he keeps within the port, he is within the law. A port is a place to which merchandise is imported, and from whence it is exported. It is created by law. It is not merely a harbor or haven, for it may be established where there is nothing but an open roadstead, or on the shore of a navigable river, or at any other place where vessels may arrive and discharge, or take in their cargoes. It comprehends the city or town which is occupied by the mariners, merchants, and others who are engaged in the business of importing and exporting goods, navigating the ships, and furnishing them with provisions. It includes, also, so much of the water adjacent to the city as is usually occupied by vessels discharging or receiving their cargoes, or lying at anchor and waiting for that purpose.

The first section of the act of March 2, 1833, authorized the President in a certain contingency to direct that the Custom House for any collection district be established and kept *in any secure place within some port or harbor of such district*, either upon land or on board any vessel. But this provision was temporary, and expired at the end of the session of Congress next afterward. It conferred upon the Executive a right to remove the site of the Custom House, not merely to any secure place within the legally established port of entry for the district—that right he had before—but it widened his authority so as to allow the removal of it to any *port or harbor* within the

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whole district. The enactment of that law and the limitation of it to a certain period of time now past is not, therefore, an argument against the opinion above expressed, that you can now, if necessary, order the duties to be collected on board a vessel inside of any established port of entry. Whether the first and fifth sections of the act of 1833, both of which were made temporary by the eighth section, should be reenacted, is a question for the legislative department.

"Your right to take such measures as may seem to be necessary for the protection of the public property is very clear. It results from the proprietary rights of the Government as owner of the forts, arsenals, magazines, dock-yards, navy-yards, custom-houses, public ships, and other property, which the United States have bought, built, and paid for. Besides, the Government of the United States is authorized by the Constitution (Art. I, Sec. 8) to 'exercise exclusive legislation in all cases whatsoever * * over all places purchased by the consent of the Legislature of the State in which the same shall be for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings.' It is believed that no important public building has been bought or erected on ground where the Legislature of the State in which it is, has not passed a law consenting to the purchase of it and ceding the exclusive jurisdiction. This Government, then, is not only the owner of those buildings and grounds, but, by virtue of the supreme and paramount law, it regulates the action and punishes the offenses of all who are within them. If any one of an owner's rights is plainer than another, it is that of keeping exclusive possession and repelling intrusion. The right of defending the public property includes also the right of recapture after it has been unlawfully taken by another. President Jefferson held the opinion, and acted upon it, that he could order a military force to take possession of any land to which the United States had title, though they had never occupied it before, though a private party claimed and held it, and though it was not then needed nor proposed to be used for any purpose connected with the operations of the Government. This may have been a stretch of Executive power; but the right of retaking public property in which the Government has been carrying on its lawful business, and from which its officers have been unlawfully thrust out, cannot well be doubted; and when it was exercised at Harper's Ferry, in October, 1859, every one acknowledged the legal justice of it.

"I come now to the point in your letter which is probably of the greatest practical importance. By the act of 1807, you may employ such parts of

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the land and naval forces as you shall judge necessary for the purpose of causing the laws to

be duly executed, in all cases where it is lawful to use the militia for the same purpose. By the act of 1795, the militia may be called forth 'whenever the laws of the United States shall be opposed, or the execution thereof obstructed in any State by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the Marshals.' This imposes upon the President the sole responsibility of deciding whether the exigency has arisen which requires the use of military force; and in proportion to the magnitude of that responsibility will be his care not to overstep the limits of his legal and just authority.

"The laws referred to in the act of 1795 are manifestly those which are administered by the judges and executed by the ministerial officers of the courts for the punishment of crime against the United States, for the protection of rights claimed under the Federal Constitution and laws, and for the enforcement of such obligations as come within the cognizance of the Federal Judiciary. To compel obedience to these laws, the courts have authority to punish all who obstruct their regular administration, and the marshals and their deputies have the same power as sheriffs and their deputies in the several States, in executing the laws of the States. These are the ordinary means provided for the execution of the laws, and the whole spirit of our system is opposed to the employment of any other except in cases of extreme necessity, arising out of great and unusual combinations against them. Their agency must continue to be used until their incapacity to cope with the power opposed to them shall be plainly demonstrated. It is only upon clear evidence to that effect that a military force can be called into the field. Even then its operations must be purely defensive. It can suppress only such combinations as are found directly opposing the laws and obstructing the execution thereof. It can do no more than what might and ought to be done by a civil posse, if a civil posse could be raised large enough to meet the same opposition. On such occasions especially the military power must be kept in strict subordination to the civil authority, since it is only in aid of the latter that the former can act at all.

"But what if the feeling in any State against the United States should become so universal that the Federal officers themselves (including judges, district attorneys, and marshals) would be reached by the same influences and resign their places? Of course the first step would be to appoint others in their stead, if others could be got to serve. But, in such an event, it is more than probable that great

difficulty would be found in filling the offices. We can easily conceive how it might become

altogether impossible. We are therefore obliged to consider what can be done in case we have no courts to issue judicial process, and no ministerial officers to execute it. In that event troops would certainly be out of place, and their use wholly illegal. If they are sent to aid the courts and marshals, there must be courts and marshals to be aided. Without the exercise of those functions, which belong exclusively to the civil service, the laws cannot be executed in any event, no matter what may be the physical strength which the Government has at its command. Under such circumstances, to send a military force into any State with orders to act against the people would be simply making war upon them.

"The existing laws put and keep the Federal Government strictly on the defensive. You can use force only to repel an assault on the public property, and aid the Courts in the performance of their duty. If the means given you to collect the revenue, and execute the other laws, be insufficient for that purpose, Congress may extend and make them more effectual to that end.

"If one of the States should declare her independence, your action cannot depend upon the rightfulness of the cause upon which such declaration is based. Whether the retirement of a State from the Union be the exercise of a right reserved in the Constitution, or a revolutionary movement, it is certain that you have not in either case the authority to recognize her independence or to absolve her from her Federal obligations. Congress, or the other States, in convention assembled, must take such measures as may be necessary and proper. In such an event I see no course for you but to go straight onward in the path you have hitherto trodden; that is, execute the laws to the extent of the defensive means placed in your hands, and act generally upon the assumption that the present constitutional relations between the States and the Federal Government continue to exist until a new order of things shall be established, either by law or force.

"Whether Congress has the Constitutional right to make war against one or more States, and require the Executive of the Federal Government to carry it on by means of force to be drawn from the other States, is a question for Congress itself to consider. It must be admitted that no such power is expressly given; nor are there any words in the Constitution which imply it. Among the powers enumerated in article 1, section 8, is that 'to declare war, grant letters of marque and reprisal, and to make rules concerning captures on land and water.' This certainly means nothing more than the power to com-

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mence and carry on hostilities against the foreign enemies of the nation. Another clause in the same section gives Congress the power 'to provide for calling forth the militia,' and to use them within the limits of the State. But this power is so restricted by the words which immediately follow, that it can be exercised only for one of the following purposes: 1. To execute the laws of the Union; that is, to aid the Federal officers in the performance of their regular duties. 2. To suppress insurrections against the States; but this is confined by Art. IV, sec. 4, to cases in which the State herself shall apply for assistance against her own people. 3. To repel the invasion of a State by enemies who come from abroad to assail her in her own territory. All these provisions are made to protect the States, not to authorize an attack by one part of the country upon another; to preserve their peace, and not to plunge them into civil war. Our forefathers do not seem to have thought that war was calculated 'to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.' There was undoubtedly a strong and universal conviction among the men who framed and ratified the Constitution, that military force would not only be useless, but pernicious as a means of holding the States together.

"If it be true that war cannot be declared, nor a system of general hostilities carried on by the Central Government against a State, then it seems to follow that an attempt to do so would be *ipse facto* an

expulsion of such State from the Union. Being treated as an alien and an enemy, she would

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be compelled to act accordingly. And if Congress shall break up the present Union by unconstitutionally putting strife, and enmity, and armed hostility between different sections of the country, instead of the 'domestic tranquillity' which the Constitution was meant to insure, will not all the States be absolved from their Federal obligations? Is any portion of the people bound to contribute their money or their blood to carry on a contest like that?

"The right of the General Government to preserve itself in its whole constitutional vigor by repelling a direct and positive aggression upon its property or its officers cannot be denied. But this is a totally different thing from an offensive war to punish the people for the political misdeeds of State Governments, or to prevent a threatened violation of the Constitution, or to enforce an acknowledgment that the Government of the United States is supreme. The States are colleagues of one another, and if some of them shall conquer the rest and hold them as subjugated provinces, it would totally destroy the whole theory upon which they are now connected.

"If this view of the subject be as correct as I think it is, then the Union must utterly perish at the moment when Congress shall arm one part of the people against another for any purpose beyond that of merely protecting the General Government in the exercise of its proper constitutional functions.

"I am, very respectfully, yours, &c.,

"J. S. BLACK.

"To the President of the United States."

CHAPTER IX.

ACTION OF THE SOUTHERN STATES, UP TO DECEMBER 10TH.

On the evening of November 30th, a large meeting was held in Charleston, at which the Hon. C. G. Meminger foreshadowed the course to be pursued by the State. He said that within three days after the Convention came together, (Dec. 17th,) South Carolina would be declared out of the Union; that a Commissioner would be sent to Washington to treat concerning the forts and other Federal property, which would be formally de-

manded as belonging to South Carolina, as the quota she was entitled to

Affairs in South
Carolina

draw from the broken copartnership; that if said forts and property were not duly given up and quitclaimed, *the armed men of South Carolina would take them*. This they stood ready to do at any moment. It was what they would do as surely as they were not given up. Should the General Government

undertake to garrison the forts with soldiers, South Carolina would act first; her young men, eager for the time to come, would be there before the Federal Government, prepared to bid defiance to it. Mr. Buchanan, he thought, would not interfere offensively; his term of office was so nearly expired that he would not assume the responsibility. The General Government was, therefore, taken at great disadvantage, and, for *that* reason, the time was very favorable for the State. Mr. Lincoln, he contended, would be powerless for a while. The Force bill was spent by limitation: Congress would not pass another; the incoming President would experience great difficulty in organizing the Government in all its departments, in finding men who would do his will or execute the laws; and much time would consequently elapse before the Government, even if the purpose existed, would be in a situation to attempt coercion on South Carolina. By that time, her sister Cotton States would be alongside of her. Of that he was quite confident. South Carolina would not be left to fight her battles alone. Mr. Meminger concluded his address by exhorting the people to be prepared for the inevitable change. The Legislature, at that very moment, was preparing the sinews of war, and success was certain, if the people were united in heart and hand.

What is notable in regard to this speech is the quiet air of authority which it assumed; and the fact that the steps prescribed by the speaker *were* taken almost to the letter, demonstrates how fully the movement was under the control of very few sagacious leaders.

The State Legislature, as Mr. M. stated, was maturing the ways and means for the change, even to the perfection of an independent postal and telegraph system, which was expected to produce an immediate revenue to the State. In the course of remarks made in the Legislature by Mr. Rhett, on the establishment of an Ordnance Bureau, (Dec. 4th,) he stated that there had been, for several years, in Charleston, eight of the largest size Paixhan guns, which might, perhaps, be used in *taking the forts*. Mr. Marshall said the State had 382 infantry companies, 50 cavalry, 18 artillery, and 62 rifle companies, making 121 battalions, 56 regiments, 14 brigades,

and 5 divisions. Mr. McGowan said the total military force was 65,000. The House passed the bill to provide an armed military force without opposition, Dec. 4th. It authorized the Government to call into service 10,000 volunteers.

December 2d another large meeting assembled in front of the Charleston Hotel. In the course of his remarks the Mayor made important announcements. Among other things he said:—"I congratulate you that everything looks so cheering. We have news from Georgia that she has bound her emblem with ours across the Savannah River. We have news from Florida that her Governor has said that, at every hazard, she must sever her connection with her faithless confederates. Mississippi and Alabama are ready. And we have bright hopes from the old State of North Carolina. Fellow-citizens, the Aborigines of this country of ours used to worship the rising sun. I tell you that we, too, have a rising sun to venerate, and that is the rising sun of a Southern Confederacy. I think I see the gray of the morning of the rising of that sun. With this Union of our sister States, it is certain to rise."

The election for delegates to the Convention was held December 5th. It passed off quietly, as the people were unanimous in feeling—the only contest being the preferences expressed for particular persons—all of whom were, of course, committed to secession.

December 7th, Governor Gist sent in his last Message. South Carolina. He exhorted to immediate and separate action. He said:—

"The delay of the Convention for a single week to pass the Ordinance of Secession will have a blighting and chilling influence upon the action of the other Southern States. The opponents of the movement everywhere will be encouraged to make another effort to rally their now disorganized and scattered forces to defeat our action and stay our onward march. Fabius conquered by delay, and there are those of his school, though with a more unworthy purpose, who, shrinking from open and manly attack, use this veil to hide their deformity, and from a masked battery to discharge their missiles. But I trust they will strike the armor of truth and fall harmless at our feet, and that by the 28th of December no flag but the Palmetto will float over any part of South Carolina."

The total vote in Charleston City on Delegates was 3,721, given to twenty-two candidates. The vote, being a very full one, showed that the number of persons in the city of lawful age, subject to military duty, was but little over three thousand.

Matters did not remain in a quiet state, during the last week of November and the first week of December, throughout the Cotton States. The volcano of public opinion was rumbling everywhere in their borders, indicative of the coming explosion. The Governor of Florida, in his message to the Legislature of that State, November 26th, assumed the right and necessity of immediate secession. Among other things he said:—

Florida for Precipitation. "I will not insult your intelligence or trespass on your patience by recounting the aggressions already perpetrated, or by referring to those that must follow our submission. For myself, in full view of the responsibility of my position, I most decidedly declare that, in my opinion, the only hope the Southern States have for *domestic peace and safety*, or for future respectability and prosperity, is dependent on their action *now*; and that the proper action is—*Secession from our faithless, perjured confederates*.

"But some Southern men, it is said, object to secession until some overt act of unconstitutional power shall have been committed by the *General Government*; that we ought not to secede until the President and Congress unite in passing an act unequivocally hostile to our institutions, and fraught with immediate danger to our rights of property and to our domestic safety. My countrymen! if we wait for such an overt act, our fate will be that of the white inhabitants of St. Domingo.

"But why wait for this overt act of the General Government? What is that Government? It is but the trustee, the common agent of all the States, appointed by them to manage their affairs according to a written constitution or power of attorney. Should the sovereign States, then—the principals and the partners in the association—for a moment tolerate the idea that their action must be graduated by the will of their agents? The idea is preposterous."

United States Senator Yulee, of Florida, communicated from Washington, under date of November 29th, to the Legislature of his State, his desire to "promptly and joyously return home to support the banner of the State" when the day should be named for her secession.

In Alabama, among other features of the time, may Alabama. be mentioned the formation of "Committees of Public Safety," similar to the "Vigilance Associations" of South Carolina, viz.:—"To take care that the public peace and safety be not endangered; to arrest or remove from the county all dangerous and suspicious persons; to bring them before the proper officers of law, as the public interest may require; to organize and sustain an efficient patrol." A meeting of the citizens of Baldwin County, November 24th, to organize one of these Committees, passed a unanimous resolution against secession, "unless a majority of the Slaveholding States concur; but, if the State does secede, we will heartily go with her."

United States Senator Clay, of Alabama, tendered his resignation December 10th, to take effect March 4th, unless Alabama should sooner secede—in which case he would withdraw upon the announcement of the act.

The Mississippi Legislature, on the 29th of November, adopted resolutions appointing Commissioners to visit the Slave States to insure cooperation and uniformity of action. [The names of gentlemen appointed are given in the Summary.] Mississippi.

On the 29th of November, a large meeting was held in Vicksburgh, Miss., which, after a protracted session, adopted resolutions of a somewhat novel character, from which we extract the following:—

"*Resolved*, That we have yet remedies within the Union, so far untried but fully adequate to defeat for the present the sectional aggressive combination now made in the North against the South; that by the control of the Senate and the House—the one body representing the sovereignty of the coequal States, and the other the popular will—the conservative members of these bodies can, using the undoubted power granted in the Constitution, and in maintenance of its spirit prevent all appointments to office—Cabinet or otherwise—stop all supplies, and check the wheels of Government for two years—at least from March 4, 1861; that, however violent the remedy, the Constitution warrants it, and the exigency will have arisen on that day when the remedy should be applied.

"*Resolved*, That a suspension of the active powers of Government for two or four years would not be

so great an evil as the utter extinguishment of the Constitution, The former affords a 'time and place for repentance;' the latter abandons all hope. We yet trust that the North will recede from its position, and grant such other and fuller guarantees as may be found necessary and sufficient for our protection."

Further resolves were adopted, approving the call for a convention, regretting the brevity of the time allowed for the reelection of the delegates and insisting "that any active measures that Convention may recommend shall be submitted to the people of the whole State for ratification."

A Convention of Southern States was recommended, and separate secession "would be an act of precipitation not justified by existing circumstances."

This meeting was said to represent the "conservative" feeling of the State.

A very exciting assemblage of the citizens of Tennessee. Memphis, Tennessee, took place on the evening of November 30th. It was called for cementing and organizing the secession sentiment, but the Unionists were so numerous that the meeting was everything else than harmonious. A gathering of the citizens of Davidson County, Tenn., on the 1st of December, requested the Governor to summon the Legislature, that it "may provide for a State Convention, to be elected by the people, the object of which shall be to bring about a conference of Southern States, to consider existing political troubles, and, if possible, to compose our sectional strifes." It is certain that, up to December 3d, the Union feeling was largely in the ascendant, even in Western Tennessee. In Central and Eastern Tennessee it was then, and continued to be, the prevailing sentiment—shining out of the darkness of revolution like a beacon light.

Governor Harris (of Tennessee) called an extra session of the Legislature to meet Jan. 7th, "to consider the present state of the country." It was quite generally understood that the Governor was in the league of co-operationists.

On the 6th of Dec. Hon. John Bell published in Nashville an elaborate letter, in reply to an invitation to address the mass convention at Vicksburg, above referred to. In it

Mr. Bell took strong Union grounds. He did not consider that the election of Mr. Lincoln afforded any just cause for a dissolution of the Union. His desire was for conciliating the conflicting opinions by Constitutional amendments. He charged upon the South equal sins of commission with the North in the matter of agitation.* He did not deny but that, in certain events, he might become a friend to the secession movement.

A dispatch from Macon, Georgia, Dec. 7th, stated Georgia. that the banks of that

State had suspended—that those of Alabama were to suspend the following week, and that leading secessionists had given pledges to relieve them from all legal penalties which might result from secession. The disunion feeling was represented as on the daily increase. The certainty of the secession of South Carolina and Alabama gave certainty to the movement in Georgia. Gov. Brown, Dec. 9th, published a long letter favoring early secession. The State Senate, Dec. 4th, voted to indefinitely postpone the resolutions in favor of calling a convention of Southern States. The vote stood 58 to 45. This non-acceptance was construed as highly favorable to the cause of separate and decisive action on the part of Georgia, without any reference to the action of any other State. The rejection

* Regarding the sin of the Slave States in keeping up Slavery agitation, Madison, in 1833, thus wrote to Henry Clay:—

"It is painful to see the unceasing efforts to alarm the South by imputations against the North, of unconstitutional designs on the subject of Slavery. You are right, I have no doubt, in believing that no such intermeddling dispositions exists in the body of our Northern brethren. Their good faith is sufficiently guaranteed by the interest they have as merchants, as ship-owners, and as manufacturers, in preserving a union with the Slaveholding States. On the other hand what madness in the South to look for greater safety in disunion. It would be worse than jumping into the fire for fear of the frying-pan. The danger from the alarm is, that the pride and resentment exerted by them may be an overmatch for the dictates of prudence, and favor the projects of a Southern Convention, insidiously revived, as promising by its councils the best securities against grievances of every sort from the North."

tion of the resolution demonstrated the influence which the South Carolina politicians wielded over Georgia, and proved that the Union or compromise sentiment, as represented by Mr. Stephens, was in the minority.

It was telegraphed from Washington, December 13th, that "private accounts from Georgia state that the Conservatives, under the lead of Stephens, Johnson, Jenkins, and others, are in strong hopes of carrying a majority of the members of the State Convention, and that the conciliatory tone of the Republicans will do much to strengthen Southern conservatives."

In Texas the secessionists found a stumbling block in Governor Houston, who refused to convene the Legislature. Not to be thwarted, the member for Gonzales issued a circular to the members, inviting them to meet at Austin, at an early day, to consider what action was necessary. As an evidence of the small strength of the executive, or judicial authority, to enforce regularity, we may advert to the proceedings of Judge Perkins, Chief Justice of Brazoria county, who issued an official notice of an election to be held on December 3d, to select five delegates to a state convention which was to be held at Galveston, *or elsewhere*, January 8th. The call said :

"Recognizing the right of the people—particularly such a number as convened to-day—to command me to perform any laudable duty for them, I obey this request promptly and with a hearty good will."

It was announced, December 8th, that there is an understanding between the members of the Legislature of Texas that the Legislature should meet at Austin, on the 17th of December, without a formal call from the Governor, and it is understood that the Legislature will call a state convention, on the 8th of January."

The scheme embraced, as in South Carolina, a repudiation of the obligations of their own State Constitution. It was a revolution against their own constituted authority as well as against the General Government.

Governor Houston, evidently anticipating these efforts at revolution, issued a circular to the governors of the Southern States, Novem-

ber 28th, inclosing a resolution adopted, February 16th, 1858, by the Texas legislature, proposing a convention of Southern States, "to preserve the equal rights of the states in the Union." Nothing came of the proposition, very few, even, of the governors responding.

The Democrats of Maryland assembled in state convention in Baltimore, December 6th, passing, among other resolutions, the following :

"Resolved, That we deplore the action taken by our sister State of South Carolina, and earnestly protest against an ordinance of secession on her part as being unconstitutional, disorganizing and precipitate, and unfriendly, if not arrogant, toward the counsels and situations of the other Slaveholding States ; and we believe that such act of secession will weaken and must divide their ultimate position ; and while we declare for cooperation, we will firmly resist being dragged into secession. Maryland will not stand as a sentinel at the bidding of South Carolina, and we remind her, by the memories of the Revolution, that such purpose cannot be justified ; and, in conclusion, in a fraternal spirit, we entreat South Carolina to suspend all further action until such measures of peaceful adjustment have first been tried and have failed."

This, conjoined to the firm attitude of Governor Hicks, seemed to place the state beyond reach of the Secessionists. It was reported, however, that a secret organization existed in Baltimore, composed of some of the worst elements of society, whose purpose was to aid in carrying the State out of the Union, against the governor's resistance. It was announced to number twenty-two hundred men, on the 9th of December.

The Union sentiment in Virginia had emphatic public expression, on the evening of December 5th, when a complimentary dinner was given to the Bell-Everett electors. The gathering embraced eminent and leading men, and the speeches made were of a strongly Union character. Among the toasts presented and warmly responded to, were : "The Constitutional Union party of Virginia ;" "Virginia in the Union ;" "The Union ;" "The Conservative Men of all the States," &c., &c.

The people and the press of the State remained, during the early part of December,

widely divided in feeling, though the majority appeared opposed not only to precipitate action, but favored schemes of compromise. Even John Tyler, Mr. Hunter, Judge Mason and ex-Governor Wise were understood to favor compromise, though the latter was so imperative in his radical demands as to render his terms simply impracticable. His campaign against John Brown seemed to have left the impression on his mind that the entire Republican and Douglas parties were to be treated to the rope as the only hope of Virginia.

The State Legislature, convened in extra session, provided for a Convention to assemble January 23d. The feeling in the State was rapidly becoming as unanimous as in the adjoining States. The Legislature appropriated five hundred thousand dollars for arming the State. A Commissioner was named by the Governor to confer with the authorities of the States. The Legislature adjourned, *sine die*, Dec. 12. The position assumed by Mr. Benjamin, in the U. S. Senate, reflected the feeling and purposes of his State.

Louisiana

CHAPTER X.

PROCEEDINGS OF CONGRESS CONTINUED. SECOND WEEK.
IMPORTANT PRELIMINARY PROCEEDINGS. THE FUTILITY
OF COMPROMISE FORESHADOWED.

Caucus of Southern
Senators.

A CAUCUS of Southern Senators was held Saturday evening, December 8th, to exchange views and concert action. No doubt was expressed by Senators from Georgia, Alabama, Mississippi, Florida, and South Carolina, but that their States would secede by ordinances. Senators present from those States represented that no interposition now could arrest that first step, though their ultimate relation to the Union might be effected by future developments. Messrs. Bayard, Pearce, Nicholson, Powell, and Crittenden were in favor of making every effort to protect the rights of the South in the Union. Mr. Mason also favored the same view, while requiring guarantees and expressing misgivings as to the result. Mr. Hunter was willing to go farther for conciliation than his recent letter indicated. Mr. Brown advocated immediate secession as the only remedy. Mr. Davis thought other means should be exhausted before proceeding to that extremity. Mr. Slidell was among the most ultra, and declared that Louisiana could not be restrained from taking position with the Seceding States, even if her representatives in Congress were opposed to that policy. Mr. Iverson was not present.

During the recess, (December 7th, 8th, 9th,) many schemes of adjustment were

Union Saving
Scheme.

proposed. It would appear, indeed, that almost every member had some balm for the disunion sore. One scheme, announced as having obtained much favor, provided, first:—The territory shall not be acquired otherwise than by treaty. Second: the whole inhabitants of any territory numbering 20,000 shall have the right to elect all officers necessary for its government under the rules prescribed by an act of Congress; and the Legislature thereof may determine whether to recognize Slavery or not during its Territorial existence. Third: whenever any Territory, preparatory to its assuming a State sovereignty, having white inhabitants equal to the number required for a representative in Congress, and having submitted its Constitution to a vote of the people, applies for admission, it shall be admitted into the Union, whatever may be its provisions in regard to Slavery, upon an equal footing with the original States. Fourth: that Congress shall not interfere with Slavery where it exists under the sanction of law, nor shall it prohibit the transportation of slaves from one Slave State to another. We give this one of

many propositions to indicate somewhat the direction Congressional sentiment was taking. Most of the plans, in one way or another, proposed a restoration of the Missouri Compromise line as the basis of adjustment.

Monday was spent in the Senate, in mere interchanges of opinion. A number of Senators made remarks—all expressive of a wish for the adjustment of differences, except those made by the Gulf State Senators. The views of Messrs. Douglas, Crittenden, Bigler, Latham, King, Dixon, all were characterized by moderation, and gave promise of harmony of action. In the House the question of excusing Mr. Hawkins, of Florida, from serving on the Committee of Thirty-Three, was discussed by Messrs. Hawkins, Vallandigham, McClellan, Sickles, &c. No conclusion was arrived at. The next day, (Tuesday,) was consumed in the discussion, but without a vote.

In the Senate, Tuesday, an important speech was made by Iverson, of Georgia, in the course of which he declared against compromise or settlement upon any terms. He said, among other things:—

“I tell the Senators here to-day that the Southern people will never be satisfied with anything short of Congressional protection to slavery in the Territories. We know our rights under the constitution. We stand as equal States in this confederacy, and we are entitled to equal participation in the common property. We know well that we never can enjoy equal possession of the territories without protection to our property. I know well where the Wilmot proviso and non-intervention squatter sovereignty would lead. It would lead to the total exclusion of the Southern States from any Territory which is now possessed, or may be hereafter acquired. We will never submit to any such dictation as that. We are entitled to the protection of our property, and we intend to have it, in the Union if we can get it, and out of the Union if we cannot get it in. * * * We have now in the United States four millions and a half of slaves. They increase, according to the last census bill, at the rate of about thirty-two per cent every ten years. If you precipitate all this population into eight or ten Gulf States, we will have, in ten years, 6,000,000, in twenty years we shall have 8,000,000 or 9,000,000, and in thirty years 12,000,000 to 15,000,000. In less than twenty years the slave population of the South will largely preponderate over the white. Then will come universal emancipation by the Federal Government, and such

scenes of murder between the two races as has never been seen or heard of in the world's history. Such, in my opinion, is the inevitable result, and such is the policy of the Free States. They understand, as well as I do, how these things work out, and it is especially their course to bring about this very state of things, and in that very form. Long before these events occur the Free States will be swelled by a majority that is irresistible. The Border States will be free, the Territories west will be planted into States by the hot-bed process of Northern abolition emigration, and the South will be lying at the very feet of the North. * * * They complain of us that we make so much noise and confusion about the Fugitive Slave law when we do not lose any slaves; but it is not for the want of good faith in the Northern States, so far as the reclamation of fugitive slaves is concerned, that the Southern States are moving in this great revolution. We look infinitely beyond this petty loss of a few negroes. We know what is coming. Sir, in this Union, it is universal emancipation, and the turning loose upon society, in the Southern States, of the mass of corruption which will be made by emancipation. And we intend to avoid it if we can. * * * I do not believe any concessions can be obtained, and if they are obtained, of what value would they be, granted in a state of fear? I do not use this word in any offensive sense. But the North, if it yields at all, yields to the fear that the South is going to dissolve the Union. What value would such concessions be to the South? None, sir, as long as a vitiated public sentiment of abolition exists. And when is that going to decay? Never, so long as the Union lasts. * * * I believe the question is settled, and no power this side of Heaven can avert the result South Carolina has determined to risk all on this die, and other States will follow. Those west of the Mississippi are moving. That this Union is to be dissolved is a fixed fact, and no tinkering of the Constitution or of committees of thirty-three or thirteen can avert the consequence.”

Wigfall, of Texas, followed this, on Wednesday, with a violent speech to the same purpose as that by Iverson, though much less coherent and dignified.

In the House, Wednesday was literally a day of resolves. Resolutions for “saving the Union” were introduced by twenty-two members. These by Mr. Sherman (Republican) of Ohio, attracted the most remark outside the halls of Congress:—

“Resolved, That the only true and effectual remedy for the dissensions that now exist be-

Significant Resolutions.

tween the several States and the people thereof is in the faithful observance by the several States, and the people thereof of all the compromises of the Constitution, and of the laws made in pursuance thereof.

"*Resolved*, That the special Committee of Thirty-three be instructed to inquire whether any State, or the people thereof, have failed to obey and enforce the obligations imposed by the Constitution, and, if so, the remedy thereof; and whether any further legislation is required to secure such enforcement.

"*Resolved*, That to avoid all further controversies in regard to the several Territories of the United States, said committee divide said territories into States of convenient size, with a view to their prompt admission into the Union, on an equal footing with the other States."

One by Mr. Bingham (Republican) of Ohio, provided that the special Committee of Thirty-three report to the House such additional legislation as they may deem necessary to suppress and put down armed rebellion against the laws and authority of the United States: to protect the property thereof against unlawful seizure, and the citizens thereof against unlawful violence. This was the first resolve which looked to the compulsion of the President to do his duty.

Mr. English (Democrat) of Indiana, came forward with a proposition to give half of the Territories to the South, in which Slavery should be recognized by the resolution of partition. But the most singular proposition came from Mr. Noell (Democrat) of Missouri, who introduced resolutions instructing the special committee to take into consideration the propriety and necessity of abolishing, by amendment to the Constitution, the office of President, and of establishing, in lieu thereof, an executive council, consisting of three members, to be elected by districts composed of the contiguous States, as near as practicable, each member of said council to be armed with a veto power, such as is now vested in the President; and if such plan be deemed practicable by said special committee, that they report to this House such details thereof as may be necessary to accommodate the same to the existing Constitution of the United States; and that said special committee also be requested to take into consideration the means necessary, if any can be devised, to restore the equilibrium between

the Free and Slave States in the Senate, and particularly, whether this end can be accomplished, by a voluntary division, on the part of some of the Slave States, into two or more States.*

Mr. Cochrane (Democrat) of New York, introduced propositions for amendment to the Constitution, as follows:—

"*Whereas*, a conflict of opinion dangerous to the peace and permanence of the Union has arisen, concerning the true intent and meaning of the Constitution of the United States, in relation to the subject of African Slavery; therefore

"*Resolved*, by the Senate and House of Representatives, (two-thirds of both Houses concurring), that the following article be proposed as an amendment to the Constitution, which, when ratified by Convention in three-fourths of the several States, shall be valid as part of said Constitution, viz. :

"In all the territory of the United States lying North of thirty-six degrees thirty minutes, and not included within the limits of any of the existing States, Slavery and involuntary servitude, except in punishment of crime, shall be and is hereby prohibited. Provided that the said Territory, or any portion of the same, when admitted as a State, shall be received into the Union with or without Slavery, as its Constitution may prescribe at the time of its admission. That in all territory of the United States lying South of thirty-six degrees thirty minutes, not included within the limits of any existing State, neither Congress nor any Territorial Government shall pass any laws prohibiting or impairing the establishment of Slavery. Provided always that the said Territory, or any part of it, when admitted as a State, shall be received into the Union with or without Slavery, as its Constitution may prescribe at the time of admission. Congress shall pass no law prohibiting or interfering with the trade in slaves between the Slaveholding States and Territories. The migration or importation of slaves within the United States, or any of the Territories thereof, from any foreign country, is hereby prohibited. No person held to service or labor in any State, or in any Territory of the United States, under the laws thereof, escaping into any other State or Territory of the United States, shall, in consequence of any law or regulation therein, be discharged from such

* This singular scheme of government was Mr. Calhoun's idea of two Presidents strengthened by one from the West. Mr. Benton characterized Calhoun's idea as similar to that of a horse hitched to each end of a plow, and pulling in opposite directions.

service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due. The right of transit through, and temporary sojourn in, the several States and Territories of the United States, is hereby guaranteed to all the citizens of the several States and Territories, and their right to the possession and control of their slaves during such sojourn and transit shall not be impugned. No law enacted by Congress for the rendition of fugitive slaves shall be in any degree impaired or impugned by anything contained in the laws or Constitution of any State or Territory, but all such State and Territorial Laws, and all such provisions in any State or other Constitution, shall be null and void."

Mr. Adrian (Dem.) of New Jersey, resolved that non-intervention was the true remedy. Mr. Hindman (Dem.) of Arkansas, proposed amendments to the Constitution expressly recognizing property in slaves where Slavery now exists, or may hereafter exist, and express the denial of the Federal Government to prohibit or interfere with it anywhere, or restrict the trade in slaves between the States; also, to express an agreement to protect Slavery wherever the Federal jurisdiction extends, and guarantee the protection of slaves while passing through the Free States; any State defeating or impairing the Fugitive law not to be entitled to representation in Congress until the nullifying laws be repealed, &c.

Mr. Larrabee (Dem.) of Wisconsin, introduced a resolution recommending the several States to call a Convention for amendments to the Constitution, to the end that the people may thus be enabled to confer together in the manner provided in the establishment of the Government, and adopt such measures as in their wisdom may be proper to promote the common welfare of the States.

The above propositions were severally read and referred to the committee of thirty-three. They are given here as indicative of the feeling on the floors of Congress of leading men of each party and section, and are only of interest as such an indication.

In the Senate, on Thursday, Johnson (Dem.) of Tennessee, introduced important resolutions specifying amendments to the Constitution. Wigfall continued his harangue of the previous day. In the House Mr. Morris (Dem.) of Illinois, made another attempt to introduce a resolution declaratory of attachment to the Union: "that we will speak of it as the palladium of our political safety and prosperity; that we will watch its preservation with jealous anxiety; that we will discountenance whoever may suggest even a suspicion that it can in any event be abandoned, and indignantly frown upon the first dawning of every attempt to alienate any portion of our country from the rest, or enfeeble the sacred ties which now link together the various parts; and among other things the resolution declares we regard the perpetuity of the Union as of more value than the temporary triumph of any party, or any man; that whatever evils or abuses exist under it are fit to be corrected within the Union in a peaceful and constitutional way; that we believe it has sufficient power to redress every wrong and enforce every right growing out of its organization or pertaining to its proper functions; and that it is a patriotic duty to stand by it, as our hope in peace and our defence in war." As on former occasions, Southern men objected to the reception of the resolution, and, under the rules, it was not admitted.

The two Houses adjourned over from Thursday to Monday, Dec. 17th.

CHAPTER XI.

DISRUPTION OF THE CABINET. THE PRESIDENT'S POLICY. THE CONDITION OF THE CHARLESTON FORTS. GENERAL SCOTT'S PROPHETIC PAPER AND PROPOSITIONS. ACTION OF THE COMMITTEE OF THIRTY-THREE.

The President's
Timid Policy.

THE position assumed by the President was anomalous and perplexing. His message denied the right of a State to withdraw from the Union, asserted that the revenues must be collected, but confessed no power existed to coerce a State. Following up the dispatch of the message to Congress, was the dispatch of Assistant Secretary of State, Trescott, to Columbia, to prevail upon the Legislature not to order a Convention; or, if secession was predetermined, to postpone the act until compromise schemes could be acted upon; or, if secession was inevitable, to beg that no attempt should be made against the forts which he, as President, pledged his word should not be reinforced. The country looked to him as the guardian of its Constitution, to care for its prosperity, to enforce its laws, to pilot it safely through its peril; but, all classes became impressed with the President's unfitness, soon after the opening of Congress. He literally trifled with treason, taking no steps whatever to anticipate the conspiracy against the Union, nor to provide for the safe keeping of its property in the Southern States. Why don't he reinforce, and place in a state of efficient defence, the forts at Charleston, Savannah, Key West, Pensacola, Mobile, and at the mouths of the Mississippi? Why don't he place the rich stores of arms and munitions in the U. S. arsenals at Wilmington, Charleston, Augusta, Baton Rouge, under a strong guard? Why is not the immensely valuable and available property in Norfolk and Pensacola navy yards placed in a state of defence and usefulness? Few could answer, and the fact became daily apparent that he did not propose to anticipate the course of events by

preparing for revolution. It daily became apparent that he lacked courage, candor, sagacity, and devotion to his constitutional oath; and the people felt that the greatest peril was the President's incapacity for the crisis.*

It is known that several members of the Cabinet strongly opposed the doctrines of the President's Message, regarding a State's right to withdraw from the Union, and that important modifications were made by Mr. Buchanan to appease Messrs. Cobb, Floyd and Thompson. The promise of the President not to reinforce the forts, and his confession of a want of power to coerce a State, served to reassure the Secession members named, and they remained. Mr. Cobb, however, was con-

*The manner in which Jackson discharged his duty when, in 1832, he was placed in a position nearly analogous, may be learned from his letter to Rev. J. S. Crawford, May 1st, 1833:

"I have had a laborious task here, but nullification is dead, and its actors and courtiers will only be remembered by the people to be execrated for their wicked designs to sever and destroy the only good Government on the globe, and that prosperity and happiness we enjoy over every other portion of the world. Haman's gallows ought to be the fate of all such ambitious men who would involve the country in civil war, and all the evils in its train, that they might reign and ride on its whirlwinds, and direct the storm. The free people of the United States have spoken, and consigned these wicked demagogues to their proper doom. Take care of your nullifiers you have among you. Let them meet the indignant frowns of every man who loves his country. The tariff, it is now well known, was a mere pretext * * * Therefore, the tariff was the only pretext, and disunion and a Southern Confederacy the real object. *The next pretext will be the Negro, or the Slavery question.*"

strained to resign, December 10th. Unable to extricate the Treasury from its threatened bankrupt condition, he could not, in consistency, retain "the keys;" and the convenient pretext offering of

Resignation of Mr.
Cobb.

a "difference with the President's views," he seized it,

resigned, and almost immediately returned to Georgia to assume a leader's place in the secession drama. He left behind him a reputation untainted by a want of integrity; but an empty treasury attested his want of ability, and a complicity with the leaders in revolution against the Government gave evidence that, of two masters, he served one with his hand, the other with his heart.

Mr. Toucey, Secretary of the Navy, assumed the duties of the Treasury Department until, a few days later, Mr. Thomas, of Maryland, Commissioner of Patents, accepted the vacant chair.

Little was publicly known of the actual condition of the forts in Charleston harbor. It

Major Anderson's
Position.

was certain that Major Anderson, in command at Fort Moultrie, was working his

men to their utmost strength, in placing that fortress in a position for defence; and it was, also, reported at Charleston that workmen were very busy in Fort Sumter mounting guns; but, the true strength of these fortresses, and Anderson's ability for resistance to an assault, were matters with which the public could gain very little reliable information. The fact, however, that Anderson had but two companies of artillery under his command, was sufficiently well understood to cause serious apprehensions for his safety as early as Dec. 10th. On the 13th the question of his reinforcement was discussed with considerable feeling in the Cabinet. Messrs. Cass and Toucey took the position that the reinforcement ought instantly to be made at all hazards—that, *giving offence to South Carolina* was the last consideration which should prevail to deter the President from doing his duty in placing the forts out of danger; but, the other members of the Cabinet insisted that such an act would "complicate" the question of settlement, and be "construed into the offensive design to coerce the State"—therefore it must not be done, and it was not done.

Mr. Buchanan listened to his evil advisers, and resolved to respect the promise he had unwisely made to South Carolina through Mr. Trescott, not to give Anderson men enough to save the forts in Charleston from seizure—for this was the effect of a non-reinforcement.

Anderson asked for no additional force—leaving all to those who knew his needs and the extremity to which he must be reduced if he sought, in good earnest, to hold the fortress of Moultrie. He was ordered to the Charleston defences Nov. 18th, at the earnest wish of Gen. Scott, who reposed great reliance on the Major's discretion and loyalty. The selection proved, in every respect, satisfactory, for his indomitable will made a host out of his little band. By day and night the men worked in the fort, Moultrie, to render it defensible from the land side. All was done that industry and good engineering could effect, and the old fort, by Dec. 15th, assumed a more formidable look than it ever had worn. Two hundred men could have defended it against ten thousand.

Mr. Cass resigned his seat in the Cabinet on the 14th. After the decision made in the meeting on the evening of the 13th, he could not remain in the counsels of the President. Too good a patriot to connive at treason, and too honest an officer to disregard his oath of fealty to the Constitution, he could not remain in an administration which refused to resort to "coercion," so far as to protect thirty millions of Government property from seizure. His resignation caused profound regret throughout the entire portion of the still loyal community, but gave a corresponding pleasure to the disunionists, since it indicated a line of policy in the Executive which would allow their schemes to develop without obstacle or danger. Attorney-General J. S. Black assumed the vacated chair. Unlike the Ex-Secretary of the Treasury, who hastened from Washington after his resignation, General Cass remained at the capitol to lend his influence to carry the country through its peril. The good ship of state was indeed in danger of "beaching," but faithful hands and stout hearts might yet save her. General Cass gave his wise

General Cass' Resignation.

counsels for conciliation, but did not, we believe, at any moment, concede the right of any State to withdraw at will from the Confederacy.

As the position and views of General Scott, at that time, have since elicited much comment, we may here reproduce his letter to Mr. Buchanan *prior* to the day of election. It is evidence not more of his devotion to the country than of his wisdom and discretion:—

General Scott's Prophetic Views.

ment, we may here reproduce his letter to Mr. Buchanan *prior* to the day

"Views suggested by the imminent danger (Oct. 29, 1860) of a disruption of the Union by the secession of one or more of the Southern States.

"To save time the right of secession may be conceded, and instantly balanced by the correlative right, on the part of the Federal Government, against an *interior* State or States, to re-establish by force, if necessary, its former continuity of Territory.—[Paley's Moral and Political Philosophy, last chapter.]

"But break this glorious Union by whatever line or lines that political madness may contrive, and there would be no hope of re-uniting the fragments except by the laceration and despotism of the sword. To effect such result the intestine wars of our Mexican neighbors would, in comparison with ours, sink into mere child's play.

"A smaller evil would be to allow the fragments of the great Republic to form themselves into new Confederacies, probably four.

"All the lines of demarcation between the new Unions cannot be accurately drawn in advance, but many of them approximately may. Thus, looking to natural boundaries and commercial affinities, some of the following frontiers, after many waverings and conflicts, might perhaps become acknowledged and fixed:

"1. The Potomac River and the Chesapeake Bay to the Atlantic. 2. From Maryland, along the crest of the Alleghany (perhaps the Blue Ridge) range of mountains, to some point in the coast of Florida. 3. The line from say the head of the Potomac to the west or northwest, which it will be most difficult to settle. 4. The crest of the Rocky Mountains.

"The Southeast Confederacy would, in all human probability, in less than five years after the rupture, find itself bounded by the first and second lines indicated above, the Atlantic and the Gulf of Mexico, with its capital at say Columbia, South Carolina. The country between the second, third, and fourth of those lines would, beyond a doubt, in about the same time, constitute another Confederacy, with its capital at probably Alton or Quincy, Illinois. The boundaries of the Pacific Union are the most definite

of all, and the remaining States would constitute the Northeast Confederacy, with its capital at Albany.

General Scott's Prophetic Views.

"It, at the first thought, will be considered strange that seven Slaveholding States and parts of Virginia and Florida should be placed (above) in a new Confederacy with Ohio, Indiana, Illinois, &c.; but when the overwhelming weight of the great Northwest is taken in connection with the laws of trade, contiguity of territory, and the comparative indifference to free soil doctrines on the part of Western Virginia, Kentucky, Tennessee, and Missouri, it is evident that but little if any coercion, beyond moral force, would be needed to embrace them; and I have omitted the temptation of the unwasted public lands which would fall entire to this Confederacy—an appanage (well husbanded) sufficient for many generations. As to Missouri, Arkansas, and Mississippi, they would not stand out a month. Louisiana would coalesce without much solicitation, and Alabama, with West Florida, would be conquered the first winter from the absolute need of Pensacola for a naval depot.

"If I might presume to address the South, and particularly dear Virginia—being 'native here and to the manor born'—I would affectionately ask, will not your slaves be less secure, and their labor less profitable under the new order of things than under the old? Could you employ profitably two hundred slaves in all Nebraska, or five hundred in all New Mexico? The right, then, to take them thither would be a barren right. And is it not wise to

'Rather bear the ills we have

Than fly to others that we know not of?'

"The Declaration of Independence proclaims and consecrates the same maxim: 'Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes.' And Paley, too, lays down as a fundamental maxim of statesmanship, 'never to pursue national *honor* as distinct from national *interest*;' but adds: 'This rule acknowledges that it is often necessary to assert the honor of a nation for the sake of its interests.'

"The excitement that threatens secession is caused by the near prospect of a Republican's election to the Presidency. From a sense of propriety as a soldier, I have taken no part in the pending canvass, and, as always heretofore, mean to stay away from the polls. My sympathies, however, are with the Bell and Everett ticket. With Mr. Lincoln I have had no communication whatever, direct or indirect, and have no recollection of ever having seen his person; but cannot believe any unconstitutional violence, or breach of law, is to be apprehended from his administration of the Federal Government.

"From a knowledge of our Southern population

General Scott's Prophetic Views.

it is my solemn conviction that there is some danger of an early act of rashness preliminary

to secession, viz., the seizure of some or all of the following posts: Forts Jackson and St. Philip in the Mississippi, below New Orleans, both without garrisons; Fort Morgan, below Mobile, without a garrison; Forts Pickens and McRea, Pensacola harbor, with an insufficient garrison for one; Fort Pulaski, below Savannah, without a garrison; Forts Moultrie and Sumter, Charleston harbor, the former with an insufficient garrison, and the latter without any; and Fort Monroe, Hampton Roads, without a sufficient garrison. In my opinion all these works should be immediately so garrisoned as to make any attempt to take any one of them, by surprise or *coup de main*, ridiculous.

"With the army faithful to its allegiance, and the navy probably equally so, and with a Federal Executive, for the next twelve months, of firmness and moderation, which the country has a right to expect—*moderation* being an element of power not less than *firmness*—there is good reason to hope that the danger of secession may be made to pass away without one conflict of arms, one execution, or one arrest for treason.

"In the mean time it is suggested that exports should remain as free as at present; all duties, however, on imports, collected, (outside of the cities,*) as such receipts would be needed for the national debt, invalid pensions, &c., and only articles contraband of war be refused admittance. But even this refusal would be unnecessary, as the foregoing views eschew the idea of invading a seceded State.

"WINFIELD SCOTT.

"New York, October 29th, 1860."

"Lieut.-General Scott's respects to the Secretary of War to say—

"That a copy of his 'Views, &c.,' was despatched to the President yesterday, in great haste; but the copy intended for the Secretary, better transcribed, (herewith,) was not in time for the mail. General S. would be happy if the latter could be substituted for the former.

"It will be seen that the 'Views' only apply to a case of secession that makes a *gap* in the present Union. The falling off say of Texas, or of all the Atlantic States, from the Potomac south, was not within the scope of General S.'s provisional remedies.

* In forts or on board ships of war. The great aim and object of this plan is to gain time—say eight or ten months—to await expected measures of conciliation on the part of the North, and the subsidence of angry feelings in the opposite quarter.

"It is his opinion that instructions should be given, at once, to the commanders of the

General Scott's Prophetic Views.

Barrancas, Forts Moultrie and Monroe, to be on their guard against surprises and *coups de main*. As to *regular approaches* nothing can be said or done, at this time, without volunteers.

"There is one (regular) company at Boston, one here, (at the Narrows,) one at Pittsburg, one at Augusta, Ga., and one at Baton Rouge—in all five companies only, within reach, to garrison or reinforce the forts mentioned in the 'Views.'

"General Scott is all solicitude for the safety of the Union. He is, however, not without hope that all dangers and difficulties will pass away without leaving a scar or painful recollection behind.

"The Secretary's most obedient servant,

"October 30th, 1860.

W. S."

These opinions of the veteran commander should have commanded earnest and solemn consideration. They were expressed prior to the election, when the reinforcements proposed could have been made without exciting particular remark. An adoption of his wise suggestion would have averted entirely the war of words which followed, in and out of the Cabinet, on the question of reinforcement; and there are those who will persist in the opinion, that the early and strong occupation of all the forts named would have held the entire scheme of rebellion in abeyance.

It is certain that General Scott earnestly hoped for authority to order troops to Major Anderson; but the Secretary of War, John B. Floyd, had made a non-reinforcement the price of his remaining in the Cabinet, and the President was weak enough to favor a policy which, ere long, hurried him into the very dangers he had sought so earnestly to avoid.

The President, on Dec.

14th, proclaimed Jan. 4th as a day to be set apart

A day of Fasting and Prayer

for humiliation, fasting, and prayer. His proclamation thus set forth the calamities of the hour:—

"The union of the States is at the present moment threatened with alarming and immediate danger—panic and distress of a fearful character prevail throughout the land—our laboring population are without employment, and consequently deprived of the means of earning their bread—indeed, hope seems to have deserted the minds of men. All classes are in a state of confusion and dismay, and

the wisest counsels of our best and purest men are wholly disregarded.

"In this, the hour of our calamity and peril, to whom shall we resort for relief but to the God of our Fathers? His omnipotent arm only can save us from the awful effects of our own crimes and follies—our own ingratitude and guilt towards our Heavenly Father.

"Let us, then, with deep contrition and penitent sorrow, unite in humbling ourselves before the Most High, in confessing our individual and national sins, and in acknowledging the justice of our punishment. Let us implore him to remove from our hearts that false pride of opinion which would impel us to persevere in wrong for the sake of consistency, rather than yield a just submission to the unforeseen exigencies by which we are now surrounded. Let us, with deep reverence, beseech Him to restore the friendship and good will which prevailed in former days among the people of the several States, and, above all, to save us from the horrors of civil war and 'blood guiltiness.' Let our fervent prayers ascend to His throne that He would not desert us in this hour of extreme peril, but remember us, as He did our fathers in the darkest days of the Revolution, and preserve our Constitution and our Union—the work of their hands—for ages yet to come. An Omnipotent Providence may overrule existing evils for permanent good. He can make the wrath of man to praise Him, and the remainder of wrath He can restrain. Let me invoke every individual, in whatever sphere of life he may be placed, to feel a personal responsibility to God and his country for keeping this day holy, and for contributing all in his power to remove our actual and impending difficulties.

The Crisis Committee of

The Crisis
Committee.

Thirty-three met for conference and organization during the early part of the

week, December 10–13th. On the latter day propositions were started by a resolution from Mr. Rusk, of Arkansas, to the effect that the South required guarantees in the form of amendments to the Constitution. He stated that unless they were granted a dissolution of the Confederacy was inevitable. Mr. Rusk declared himself to be a Unionist, but stated that a paper was prepared, and being signed by Southern members, representing that no concessions were to be expected from the North. In his opinion, the effect of that document, when published, would be to excite the Southern mind more deeply, and overwhelm those that were for sustaining the Union.

Mr. Dunn, of Indiana, then offered the following resolution, which Mr. Rust accepted as a substitute for his:

"*Resolved*, That in the opinion of this Committee, the existing discontent among the Southern people, and the growing hostility among them to the Federal Government, are greatly to be regretted, and that, whether such discontent and hostility are without just cause or not, any reasonable and constitutional remedies, and additional and more specific and effectual guarantees of their peculiar rights and interests as recognized by the Constitution, necessarily to preserve the peace of the country and the perpetuation of the Union, should be promptly and cheerfully granted."

This proposition led to a long discussion, in which most members of the Committee participated. Several Republicans desired to know what sort of guaranties were desired, because a general declaration like this might raise expectations which could not be fulfilled. If the States proposing to secede were arrested by the belief that such legislation as they demanded was to be obtained, yet finally be disappointed, it was easy to foresee that present discords would be aggravated. It was contended, on the other side, that an initial point for negotiation between the two sections ought to be obtained, and after that was done the form of guaranties or legislation might be better considered.

These were the general features of the debate, in which nearly all participated for five hours. Finally, Mr. Morrill of Vermont proposed as an amendment or substitute for Mr. Dunn's, the following resolution:

"*Resolved*, That, in the opinion of this Committee, the existing discontents among the Southern people, and the growing hostility among them to the Federal Government, are greatly to be regretted, and that any reasonable, proper and constitutional remedies, necessary to preserve the peace of the country and the perpetuation of the Union, should be promptly and cheerfully granted."

A formal division was called, and the vote stood 9 to 22. The original resolution was then adopted by 22 to 9, as follows:

"YEAS.—Messrs. Corwin, Stratton, Campbell, Howard, Dunn, Kellogg, Windom, Curtis, Burch, Stout, Whiteley, Davis, (Md.) Millson, Winslow, Houston, Love, Taylor, Rust, Hamilton, Phelps, Bristow, Neilson—22.

"NAYS.—Messrs. Morse, Tappan, Adams, Robinson, Ferry, Morrill, Humphrey, Washburne—8.

"ABSENT.—Messrs. Hawkins and Boyce.

"NOT VOTING.—Mr. Davis, (Miss.)"

Mr. Corwin, it was understood, had matured a series of resolves, which had the approval of a majority of the Republicans. They were as follows:—

"*First.* Pledging the faith of Congress against any attempt to abolish Slavery in the District of Columbia.

"*Second.* Against interfering with the inter-slave-trade between the States.

"*Third.* Against the abolition of Slavery in the dock-yards and arsenals in the Slave States.

"*Fourth.* In favor of any amendments rendering the Fugitive-Slave act effective and satisfactory to the South.

"*Fifth.* Against any discrimination by Congress of Slave States asking admission.

"*Sixth.* Protecting persons and property in the Territories till they have 30,000 inhabitants, when non-intervention by Congress shall be the law."

These early conciliatory steps gave the friends of Compromise hope that a settlement would be arrived at; but the continued hostility of the extremists from the Gulf States, indicated clearly that compromises were not wanted, and probably would not be accepted, no matter what their nature.

CHAPTER XII.

CONSERVATIVE PHASES OF THE REVOLUTION.

SEVERAL attempts were made to obtain a conference of Slave States, but without effect. The proposition submitted by Governor Houston, as we have stated, received no consideration. Gov. Magoffin, of Kentucky, on the 9th of December, dispatched the following circular of proposition to the Governors of the Slave States:—

Circular of Governor
Magoffin.

"COMMONWEALTH OF KENTUCKY, EXECUTIVE
DEPARTMENT, FRANKFORT, Dec. 9, 1860. }

"Entertaining the opinion that some movement should be instituted at the earliest possible moment to arrest the progress of events which seem to be rapidly hurrying the Government of the Union to dismemberment, as an initiatory step, I have, with great diffidence, concluded to submit to the Governors of the Slave States a series of propositions, and to ask their counsel and co-operation in bringing about a settlement upon them as a basis. Should the propositions be approved, they can be submitted to the assembling Legislatures and Conventions of the Slave States, and a Convention of all of said States, or of those only approving, be called to pass upon them, and ask a General Convention of all the

States of the Union that may be disposed to meet us on this basis for a full conference. The present good to be accomplished would be to arrest the secession movement until the question as to whether the Union can be preserved upon fair and honorable terms can be fully tested. If there be a basis for the adjustment of our difficulties within the Union, nothing should be left undone in order to its development. To this end, it seems to me there should be a conference of the States in some form, and it appears to me the form above suggested would be most effective. I, therefore, as the Governor of a State having as deep a stake in the perpetuity of the Union, and at the same time as much solicitude for the maintenance of the institution of Slavery as any other, would respectfully beg leave to submit for your consideration the following outline of propositions:—

"*First.* Repeal, by an amendment of the Constitution of the United States, all laws in the Free States in any degree nullifying or obstructing the execution of the Fugitive Slave law.

"*Second.* Amendments to said law to enforce its thorough execution in all the Free States, providing compensation to the owner of the slave from the State which fails to deliver him up under the require-

ments of the law, or throws obstructions in the way of his recovery.

"*Third.* The passage of a law by Congress compelling the Governors of Free States to return fugitives from justice, indicted by a Grand Jury in another State for stealing or enticing away a slave.

"*Fourth.* To amend the Constitution so as to divide all the Territories belonging to the United States, or hereafter to be acquired, between the Free and the Slave States, say upon the line of the 37th degree of North latitude—all North of that line to come into the Union with requisite population as Free States, and all South of the same to come in as Slave States.

"*Fifth.* To amend the Constitution so as to guarantee forever to all the States the free navigation of the Mississippi River.

"*Sixth.* To alter the Constitution so as to give the South the power, say in the United States Senate, to protect itself from unconstitutional and oppressive legislation upon the subject of Slavery.

"Respectfully, your obedient servant,

"B. MAGOFFIN."

To this there came no definitive reply. The efforts of Virginia to secure a hearing for conference were futile, South Carolina even refusing to receive a Commissioner for the professed purpose of a "concert of action." The same fate awaited the proposition sent out by the Legislatures of Georgia (December 15th) to the several States, asking for no separate State action.

The Georgia Plan of
Cooperation.

It was not acted upon,
except adversely, having
been tabled by the South

Carolina Convention *without reading!* It was as follows:—

"To the people of South Carolina, Alabama, Mississippi and Florida, in Delegate Convention assembled, and to such other Southern States as may assemble before the meeting of the Georgia Convention.

"The people of Georgia, in many very large primary meetings, have frequently requested that the Southern States of this Union should meet, at an early day, by their delegates in Convention, and confer together.

"The same meetings have urged the present Assembly of Georgia to inaugurate this movement. Before these meetings were held this Assembly had passed a bill for the call of a Convention of the people, and to that Convention it seems all our prominent men were understood to have recommended the reference of all other questions on our Federal

relations. In deference to that recommendation the General Assembly, as such, has taken no further action.

"The Convention of the people of Georgia will assemble on the 16th day of January next, and doubtless that Convention will appoint delegates to a General Convention of the Southern States.

"Before this the Convention of our sister States of South Carolina, Alabama, Mississippi, and Florida, and perhaps others, will have assembled for action.

"In behalf of the people of Georgia, whom we represent, this meeting, composed of members of the General Assembly, do most respectfully, but earnestly, ask the people of our sister States, above named, to appoint delegates to such a General Convention of the Southern States, or of as many as will convene; and that until such General Convention shall assemble and deliberate, no final separate State action shall be taken on the question of our longer continuance as members of the present confederacy of States.

"We urge this request, deeply feeling its importance to all, and to our great common cause.

"We have but one interest; we are separate, independent sovereignties, but in welfare, feeling and destiny we are one individual people.

"The action of one State must affect all the Southern States; the separation of one from all must greatly involve not only the feelings but the interests of all. No slaveholding State can live for itself—we must live with and for each other. God has not mingled more indistinguishably the drops of water in our rivers, than he has linked indissolubly the destinies of our people and their children for ever.

"In climate, soil, productions and systems of labor we are as identical with each other as we are separate from the balance of the world.

"Let us consult together then. Let us so act that all may agree. Our people must be united. Our common interest must be preserved. Our common movement must be successful. Common dangers must be avoided. Our equality, our honor shall be preserved. All these can devise a cooperation. Not for our enemies, but for ourselves, our safety, our children, our peace, our necessities, we beseech you so to order your action as that consultation and cooperation shall not be defeated, but secured.

"Nearly all our Sister Southern States are, even at this writing, moving to this end. We believe all—most certainly a very large majority—will unite in such a Convention. Incalculable embarrassments and dangers can thereby be avoided, and incalculable good insured.

"We know we cannot be mistaken, as to success, when we appeal to the noble chivalry of the Southern people not to take a final step, which must

inevitably and irretrievably, in its very nature, involve all—without at least offering to consult with as many as will consult; and, above all, such action will not be taken against the urgent request of those who beg that consultation, and who are now moving to secure it.

"We feel it is only necessary to make known our wishes, and, by our brethren, they will be respected."

(Signed by 52 Members of the Legislature).

As the moment approached for South Carolina to take the "precipitate" step, we find considerable hesitancy, on the part of some of the leaders in Georgia, to precipitate that State from the Union. Thus, Mr. Cobb, (T. R. R.) wrote (Dec. 17th): "The greater the number of States which retire together from the Union the more dignity and moral weight will the movement have. Any haste in one State to move in advance of the others (though not so intended), will have or be construed into an appearance of a disregard to the will and action of others. And while I am free to admit that each State must act for herself and resume, by her own independent will, her delegated authority, yet I conceive that it is possible and highly desirable that all of them should assign some common day for such resumption. In the meanwhile proper steps might be taken not only to secure harmonious action, but to provide for a future Confederacy."

Mr. Toombs, ultra-secessionist as he was, in view of the conciliatory attitude of Congress, did not care to hurry the State into the vortex. In his letter to the Danburg Committee (Dec. 15th) he said among other things: "Many persons think the remedy ought to be applied immediately, others at a day not to extend beyond the 4th of March next, others again supposing that too short a time for the convenient action of the Abolition States would extend it only to what might be fairly deemed a reasonable and convenient time within which our wrongs might be redressed by the wrong-doers. I would strongly advise that there be no division among those who hold either of those opinions. While I personally favor the position of those who are opposed to delaying longer than the 4th of March next, I certainly would yield that

point to correct and honest men who were with me in principle, but who are more hopeful of redress from the aggressors than I am, especially if any such active measures should be taken by the wrong-doers as promised, to give us redress in the Union."

The Commissioners sent out by Mississippi and Alabama to the Slave States executed their trust by visiting all the State Legislatures and Governors. Their reception in the Border States was not particularly cordial. The movement for immediate secession, it was evident to them, must be confined to the Gulf States and South Carolina alone. The Border States were not yet *ripe* for the revolution.

The minority report of the Joint Committee of the North Carolina Legislature took very strong grounds against the State Convention call. The bill calling such a Convention was declared, in the report, to be unconstitutional, for the palpable reason that "such a Convention can only be summoned by two-thirds vote of all the members of each House. In the Personal Liberty laws of Northern States there is no new cause for grievance, and in any event they will be declared unconstitutional when brought face to face with the Constitution. Then, too," the address remarks, "if the grievance complained of and not disclosed, is the election of Lincoln to the Presidency—an election effected by a minority vote, in consequence of divisions among his opponents—it is, in the opinion of the minority, an inadequate cause for calling a Convention so hastily, with extraordinary power, which may place North Carolina out of the Union before the 4th of March next, and before the country can be officially informed of the policy of the incoming Administration. Would it not be more prudent to abide the determination of the great efforts now being made at Washington City and elsewhere by patriotic men, to compromise all difficulties, and obtain more secure guarantees against the unfriendly legislation of certain Northern States? Let the people have time to deliberate, that North Carolina may not be precipitated out of the Union, and her influence as a *peace maker* between the North and the South utterly destroyed."

North Carolina Conservatism.

Louisiana seemed, for a while, to pause for deliberation, in view of the attitude of affairs at Washington. Thus, the New Orleans *Picayune*, of December 15th, said:—

"There is less of impulse but more of determination here than in some other States. We may possibly take all measures that may justify us before the world and acquit us of impetuosity in this crisis; but, we doubt that Louisiana takes any backward steps. It depends on the action of Congress, and the returning sense of justice and reason at the North, whether the revolution in Louisiana goes rapidly forward to its full consummation. No plan of conciliation short of a final settlement of the Slavery agitation, by amendments to the Constitution, can, we think, be satisfactory. At the same time there is a disposition, by large bodies of our citizens, to move with deliberation, and to try all remedies, until means of security and equality in the Union are exhausted, before the State considers the United States as a foreign government, and its citizens as aliens."

Judge Campbell's
Circular.

Judge John A. Campbell, of the United States Supreme Court, published

a letter, in the middle of December, addressed to the people of his State, (Alabama,) on the crisis. He entered into an analysis of the causes of the dissensions between the North and South, and set forth, in his conclusions:

"*First.* That the election of Mr. Lincoln does not afford sufficient ground for the dissolution of the Union.

"*Second.* That the great subject of disturbance, that of Slavery in the Territories, rests upon a satisfactory foundation, and that we have nothing to ask except that the *status quo* be respected.

"*Third.* That the subject of the rendition of fugitive slaves can be adjusted to the satisfaction of the injured property-holder, and without dishonor to ourselves.

"*Fourth.* That in relation to the maintenance of the rights we have, or those that have been defeated or impaired, and in whatever concerns the subjects of contumely and insult we complain of, there may be sufficient cause for increased vigilance, for preparation, for alliance among the Southern States, for the demand of new guarantees, but not for disunion,

until there is a refusal of redress. In my opinion separate State action will result in the discredit and defeat of every measure for reparation or security."

Ex-Governor Brown, of Tennessee, published a letter on the state of affairs,

Conservatism in
Tennessee

about the same time. He assumed strong Union grounds, and saw, in the election of Mr. Lincoln, no cause whatever for a dissolution of the Confederacy. "There is every reason," he said, "to suppose that he will administer the Government in a conservative manner, and as for the question of Slavery in the Territories, there is no reason to fear that he will do the South injustice, since there is no Territory now belonging to the Union where a Southerner would care to carry slaves, nor is it likely that any will be acquired during Mr. Lincoln's administration." He urged the necessity of calling a Southern Convention, and concluded by an earnest appeal for the people of Tennessee to stand by the Union.

Hon. A. O. P. Nicholson, of the same State, also addressed the people, through the press, deprecating secession, and adverted to the position which Tennessee must occupy as a friend of both sections of the Union.

Ex-Governor Wickliffe, of Kentucky, under date of December 17th, published

Conservatism in
Kentucky.

his views, suggesting how to deal with South Carolina, or other seceding States. His ideas were, to repeal the acts creating her ports of entry, to prevent any commerce with her. "Then, if she opposes Congress in establishing judicial districts in the State, and her citizens refuse to fill the offices of judge and marshal, abolish the district by law, and attach the territory to some other neighboring judicial district. If she desires no postal facilities of the United States, abolish the post-offices and withdraw the service. If she will send no Senators or Representatives to Congress, let her alone—the Government can get along without their services in Congress. Apply these same remedies to each seceding State. This is making no war upon a State or upon its citizens—it necessarily does not involve the shedding of human blood."

The Louisville *Journal*, speaking the senti-

ment of a large majority of the people of the State, thus characterized the precipitationists and their schemes :

"It seems to us that the whole annals of the human race do not present such an example of arrogance and presumption as this attempt of South Carolina to coerce the Border Slave States out of the Union. If she herself desires to go out, in heaven's name, let her go. *We* do not desire to coerce *her*. And yet she seeks to 'drag' us after her, at the hazard of all that makes life worth having ; to 'drag' us into the slaughter-house of civil and servile war ; to 'drag' us away from a Government with which we are satisfied, under which we enjoy prosperity and peace, sitting every man of us in joy and content under our own vine and fig-tree ; to 'drag' us from this Government, constructed by the wisdom and patriotism of our venerated forefathers and cemented by their heroic blood, and force us down a precipice the bottom of which no mortal eye can see.

Our wishes are not to be regarded ; we are not worthy even to sit in council with South Carolina upon our own fate ; even Old Virginia, the land of Washington, the mother of constitutional liberty in America, is waved off majestically by the Charleston *Mercury*, when she approaches with the olive branch and asks to be permitted to consult with Carolina upon measures concerning their common destiny. 'Ye gods ! upon what meat doth this our Cæsar feed, that he has grown so great ?' 'He doth bestride the earth like a Colossus,' and we, petty borderers, must 'crawl between his huge legs,' and 'find ourselves dishonorable graves.'

These several expressions are a reflex of the conservative public opinion in the several sections of the Union during the middle of December. It will be apparent, therefore, what action in Congress would have met *their* views.

CHAPTER XIII.

PROCEEDINGS OF CONGRESS CONTINUED. THIRD WEEK. SPEECHES OF SENATORS WADE, JOHNSON AND OTHERS. THE RESOLUTIONS OF ADRIAN, LOVEJOY, MORRIS AND OTHERS. THE CRITTENDEN COMPROMISE RESOLUTIONS. THE COMMITTEE OF THIRTEEN.

A Resolution of Inquiry.

THE third week of the session proved a very important and exciting one in both Houses. In the Senate, on Monday (Dec. 17th), Mr. Clark (Rep.) of New Hampshire, sought to obtain information concerning the condition of Fort Moultrie by a resolution of inquiry, which requested the President to inform the Senate what number of men were stationed at Forts Moultrie and Sumter ; whether, in his opinion, the number was sufficient to defend those forts against any attack or domestic violence ; whether additional men had been ordered to either of said forts, or any steps taken to put them in position to resist any attack ; in whose custody the arsenal at Charleston is placed ; what arms and property are there kept, or, if removed, by whom ; why said arms are not put in possession of

officers of the United States upon a requisition, or if this has ever been refused ; and further, what instructions have been given to the officers of said Forts in case of a demand to surrender them by any person or authority made upon them ; also, the copies of any correspondence between the Commander-in-Chief of the American Army relative to the necessity of supplying the officers of said forts with protection. This was immediately objected to by Mr. Brown (Dem.) of Mississippi, when, under the rules it had to lie over. The Southern members evidently had determined upon a steady opposition to all Union or coercive resolves.

At one o'clock Mr. Powell's resolution for a Committee of Thirteen on the Union was taken up, when Mr. Wade, of Ohio, proceeded to address the Senate. As Mr. W. was un-

derstood to speak for the Republicans, his speech assumed peculiar significance, aside from its remarkable power and unity. We shall reproduce so much of it as may illustrate its "points." After adverting to the unusual excitement he thought argument would avail very little; but silence would be treason. Thus far he had listened for complaints in order to ascertain what were the evils and wrongs complained of, but had listened in vain. As the Republican party never had held office—was only *prospectively* coming into

Senator Wadsworth's
Speech.

power, it was manifest that no act had yet been committed of which to complain. If fears existed as to what might happen, they were groundless, arising out of unwarrantable prejudices. If there *were* wrongs of deed or principles he would be the first to recant them when they were shown to exist. Who are the complainants?

"Why, they have had more than two-thirds of this Senate for many years. You that complain, represent but little more than one quarter of the free people of the United States; yet, you have prevailed for ten years past in the Cabinet of the President, and in the Supreme Court of the United States, and nearly every department of the Government. Those who voted with you have dictated the policy of the Government. Is it not strange that those who occupy this position come here complaining that their rights have been stricken down? * * * I may say these gentlemen who have raised upon this floor their bill of indictment against us, have been the leaders of the dominant party for years; therefore, if there is anything in the legislation of the Federal Government that is not right, you, and not we, are responsible for it. We never yet have been invested with power to control the legislation of the country for an hour." * * *

"We have no security in travelling nearly one half of this Confederacy—especially the Gulf States. I don't care what a man's character may be, and if he never violated any law under heaven; but if he comes from the North, and especially if he has exercised his political rights, and voted for Lincoln instead of somebody else, is an offence punishable by indignity, by stripes and by death. And you, whose constituents are guilty of all these things, can stand up and accuse us of being unfaithful to the Constitution of the land! I make the assertion here that I do not believe, in the history of the world, there ever was a nation or a people where a law so repugnant to the general feeling was ever execu-

ted with the same faithfulness as has been this most repugnant Fugitive Slave law. You have a law in South Carolina by which you take the Free Citizens of Massachusetts, or any other maritime State, and lock them up in jail, under a penalty. If the poor man cannot pay the jail fees, eternal slavery stares him in the face. It is a monstrous law, revolting to the best feelings of humanity, and in conflict with the Constitution of the United States * * * You have the whole legislation of the country; you own the Cabinet and the Senate, and, I may add, you own the President of the United States as much as the servants on your own plantations. I can't, therefore, see why the Southern men rise up and complain of the action of this Government. * * * What doctrines do we hold detrimental to you? Are we the setters forth of any new doctrine under the Constitution? I tell you nay. There is no principle held to-day by the great Republican party that has not had the sanction of your government for more than seventy years. You have changed your opinions—we stand where we used to stand. We stand, on the Slavery question, in the place formerly occupied by the most revered statesmen of this nation, every one of them, Washington, Jefferson, Monroe, Adams, Jackson and Polk, inclusive; and that revered statesman, Henry Clay, of blessed memory, with his dying breath asserted the doctrine we hold to-day. Why, then, are we held up before the community as violators of your rights? It is late in the day to accuse us of harboring these opinions.

"Mr. Lincoln's character, from his youth up, has been such that you have no right to draw any inference that he will trespass on the right of any man, and if you harbor adverse suspicions they are unwarrantable and spring from prejudice, nothing else. * * *

"The Republican party holds the same opinion, so far as I know, with regard to your 'peculiar institution' that is held by every civilized nation on the globe. We do not differ in public sentiment from England, France, Germany, and Italy on the subject of Slavery.

"I tell you frankly that we did lay down the principle on our platform, that we would prohibit, if we had the power, Slavery from invading another inch of free soil of this Government. I stand to that principle to-day. I have argued it to half a million of people and they stand by it—they have commissioned me to stand by it, and, so help me God, I will! I say to you while we hold this doctrine to the end there is no Republican, or Convention of Republicans, or Republican paper, that pretends we have any right in your States to interfere with your peculiar and local institutions. On the other hand our platform repudiates the idea that we have any right, or harbor any ultimate intention, to invade,

or interfere with, your institution, in your own States. * * *

"I have disowned any intention on the part of the Republican party to harm a hair of your heads. We hold to no doctrine that can possibly work you any inconvenience—any wrong—any disaster. We have been and shall remain faithful to all the laws, studiously so. It is not, by your own confessions, that Mr. Lincoln is expected to commit any overt act by which you may be injured. You will not even wait for any, you say; but by anticipating that the Government may do you an injury you will put an end to it—which means, simply and squarely, that you intend either to rule or ruin this Government. * * *

"As to compromises, I supposed that we had agreed the day of Compromise was at an end. The most solemn we have made have been violated, and are no more. Since I have had a seat in the Senate, one of considerable antiquity was swept from our statute book; and when in the minority I stood up here and asked you to withhold your hands—that it was a solemn, sacred compact between nations—what was the reply? That it was nothing but an act of Congress, and could be swept away by the same majority which enacted it. That *was* true in fact and true in law, and it showed the weakness of compromises. * * *

"We beat you on the plainest and most palpable issue ever presented to the American people, and one which every man understood; and now, when we come to the capital, we tell you that our candidates must and shall be inaugurated—must and shall administer this government precisely as the Constitution prescribes. It would not only be humiliating, but highly dishonorable to us, if we listened to any compromise by which we should lay aside the honest verdict of the people. When it comes to that you have no government, but anarchy intervenes, and civil war may follow, and all the evils that human imagination can raise may be consequent upon such a course as that. The American people would lose the sheet anchor of Liberty whenever it is denied on this floor that a majority fairly given shall rule. I know not what others may do, but I tell you, that with that verdict of the people in my pocket, and standing on the platform on which these candidates were elected, I would suffer anything before I would compromise in any way. I deem it no case where we have a right to extend courtesy or generosity. The absolute right, the most sacred that a free people can bestow upon any man, is their verdict that gives him a full title to the office he holds. If we cannot stand there we cannot stand anywhere, and, my friends, any other verdict would be as fatal to you as to us."

Mr. Wade adverted, at some length, to the question of a right of secession, assuming that it was revolution, which, if successful, would make all concerned in it heroes—if unsuccessful, would submit every participator's neck to the halter. The President, he held, had but one course to pursue to sustain the Constitution and the laws. Washington City was founded by the "Father of his Country" to be the capital of the Union, and it should never be anything else. He himself had lived, and hoped to die, under the folds of the flag consecrated by the blood and sacrifices of his own father.

This speech caused a sensation throughout the country. It was not the impulse of a moment, made in anger or haste. It was deliberate and well considered; and, being the first utterance of a Republican leader, was properly regarded as an exposition of the views and purposes of the dominant party. The Senate, during its delivery, was crowded with anxious listeners in the galleries, while many members of the Lower House found places on the floor. It was accepted as the declaration of the party, and its words were weighed by the public, thoughtfully and scrutinizingly, as the great occasion demanded.

In the House, Monday, various propositions were submitted, for compromises, amendments to the Constitution, calling of a National Convention, &c. A resolution, offered by Mr. Adrian, (Dem.,) of New Jersey,—after an amendment on motion of John Cochran, (Dem.,) of New York, including in the recommendation the repeal of all Personal Liberty bills, so called—was adopted by a vote of 151 Yeas to 14 Nays:—

"Whereas, The Constitution of the United States is the supreme law of the land, and its ready and faithful obedience a duty of all good and law-abiding citizens. Therefore,

"Resolved, That we deprecate the spirit of disobedience to the Constitution, wherever manifested, and that we earnestly recommend the repeal of the statutes by the State Legislatures in conflict with, and in violation of that sacred instrument, and the laws of Congress passed in pursuance thereof."

After some skirmishing with the Southern members, Mr. Lovejoy, (Rep.,) of Illinois, pressed the following to a vote:—

"Signal" Resolutions.

"Whereas, The Constitution of the United States is the supreme law of the land, and its ready and faithful obedience a duty of all good and law-abiding citizens. Therefore,

"Resolved, That we deprecate the spirit of disobedience to the Constitution wherever manifested, and that we earnestly recommend the repeal of all Nullification laws; and that it is the duty of the President to protect and defend the property of the United States."

This forced a direct issue upon all. It passed by a vote of 124—the Southern members quite generally *refusing* to vote. Nays, none.

Mr. Morris, (Dem.,) of Illinois, then brought forward, for the third time, his Union resolution, as follows:—

"Resolved by the House of Representatives, That we properly estimate the immense value of our National Union to our collective and individual happiness; that we cherish a cordial, habitual and immovable attachment to it; that we will speak of it as of the palladium of our political safety and prosperity; that we will watch its preservation with jealous anxiety; that we will discountenance whatever may suggest, even a suspicion that it can, in any event, be abandoned, and indignantly frown upon the first dawning of every attempt to alienate any portion of our country from the rest, or enfeeble the sacred ties which now link together the various parts; that we regard it as a main pillar in the edifice of our real independence, the support of tranquillity at home, our peace abroad, our safety, our prosperity, and that very liberty which we so highly prize; that we have seen nothing in the past, nor do we see anything in the present, either in the election of Abraham Lincoln to the Presidency of the United States, or from any other existing cause, to justify its dissolution; that we regard its perpetuity as of more value than the temporary triumph of any party or any man; that whatever evils or abuses exist under it ought to be corrected within the Union, in a peaceful and constitutional way; that we believe it has sufficient power to redress every wrong and enforce every right growing out of its organization or pertaining to its proper functions; and that it is a patriotic duty to stand by it as our hope in peace and our defense in war."

This was passed by 115 to 44—several Northern Democrats, including Messrs. Sickles and Florence, voting *nay*.

Mr. Sickles, (Dem.,) of New York, introduced a resolution proposing, as an amendment to the Constitution, an article arranging

for a State to withdraw from the Union. Referred to the Committee of Thirty-three.

Mr. Crawford (Dem.) of Georgia, offered a motion declaring that the Constitution recognizes property in slaves; that Congress has passed laws to aid slave-holders in recapturing their slaves whenever they escape and make their way into the Free States; that the Supreme Court has decided that negroes are not included either in the Declaration of Independence or in the Constitution except as slaves; that they cannot become citizens; and we, the members of the House of Representatives, will sustain and support the construction of the Constitution, the laws, and the said decision of the Supreme Court. This resolution was tabled Tuesday.

In the Senate, Tuesday (Dec. 18) the proceedings took an additional interest by the introduction of schemes of compromise by Messrs. Lane, (Dem.) of Oregon, and Crittenden, (American) of Kentucky. The first-named declared the Government to be unfitted for the exigencies of the times and proposed Commissioners to suggest remedies, &c. This silly and impracticable scheme was, on motion of Mr. Douglas, very properly "laid over." Mr. Crittenden's series was as follows:

"Whereas, Alarming differences have arisen between the Northern and Southern States, as to the rights of the common Territory of the United States, and it is eminently desirable and proper that the dissensions be settled by the Constitutional provisions which give equal justice to all sections, and thereby restore peace, Therefore,

"Resolved, That by the Senate and House of Representatives, the following article be proposed and submitted, as an amendment to the Constitution, which shall be valid as part of the Constitution, when ratified by the Convention of three-fourths of the people of the States:

First. In all the Territories now or hereafter acquired, north of lat. 36 deg. 30 min., Slavery, or involuntary servitude, except for the punishment for crime, is prohibited; while, in all the Territory South of that latitude, Slavery is hereby recognized as existing, and shall not be interfered with by Congress, but shall be protected, as property, by all departments of the Territorial Government, during its continuance. All the Territory north or south of said line, within such boundaries as Congress may prescribe, when it contains a population necessary for a Member of Congress, with a republican form of government, shall be admitted into the Union, on an

equality with the original States, with or without Slavery, as the Constitution of the State shall prescribe.

Second. Congress shall have no power to abolish Slavery in the States permitting Slavery.

Third. Congress shall have no power to abolish Slavery in the District of Columbia while it exists in Virginia and Maryland, or either; nor shall Congress, at any time, prohibit the officers of the Government or Members of Congress, whose duties require them to live in the District of Columbia, from bringing slaves there, and holding them as such.

Fourth. Congress shall have no power to hinder the transportation of slaves from one State to another, whether by land, navigable rivers, or sea.

Fifth. Congress shall have power, by law, to pay an owner who shall apply the full value for a fugitive slave, in all cases when the Marshal is prevented from discharging his duty by force or rescue, made after arrest. In all such cases the owner shall have power to sue the county in which the violence or rescue was made, and the county shall have the right to sue the individuals who committed the wrong, in the same manner as the owner could sue.

Sixth. No further amendment or amendments shall affect the preceding articles, and Congress shall never have power to interfere with Slavery in the States where it is now permitted.

The last resolution declared that the Southern States have a right to the faithful execution of the law for the recovery of slaves; and such laws ought not to be repealed or modified so as to impair their efficiency. All laws in conflict with the Fugitive Slave law it shall not be deemed improper for Congress to ask the repeal of. The Fugitive Slave Law ought to be so altered as to make the fee of the Commissioner equal, whether he decides for or against the claimant; and the clause authorizing the person holding the warrant to summon a *posse comitatus* to be so as to restrict it to cases where violence or rescue is attempted. The laws for the suppression of the African slave trade ought to be effectually executed.

Mr. Powell's resolution for a Committee of Thirteen on the Crisis was adopted—the Speaker to name the members—and Mr. Crittenden's resolutions were referred to it.

Andrew Johnson's
Speech.

Wednesday (Dec. 19) Ex-
Gov. Andrew Johnson, of
Tennessee, had the floor of

the Senate, when the resolutions offered by him proposing amendments to the Constitution were taken up. He took emphatic grounds against the right of secession, and

called for the use of force in sustaining the laws. He said:

The duties now are the same as in 1793 and 1832; the consequences belong to God. He intended to discharge his duty, whatever the consequences may be. Have we not the power to enforce the laws in the State of South Carolina, as well as in the State of Vermont or any other State? And, notwithstanding they may resolve and declare themselves absolved from all allegiance to this Union, yet it does not save them from the compact. If South Carolina drives out the Federal Courts from the State, then the Federal Government has a right to re-establish the Courts. If she excludes the mails, the Federal Government has a right and the authority to carry the mails. If she resists the collection of revenue in the port of Charleston, or any other ports, then the Government has a right to enter and enforce the law. If she undertakes to take possession of the property of the Government, the Government has a right to take all means to retain that property. And if they make any effort to dispossess the Government, or to resist the execution of the Judicial system, then South Carolina puts herself in the wrong, and it is the duty of the Government to see the judiciary faithfully executed. Yes, Sir, faithfully executed. In December, 1805, South Carolina made a deed of cession of the land on which these forts stand—a full and free cession—with certain conditions, and has had possession of these forts till this day. And now has South Carolina any right to attempt to drive the Government from that property? If she secedes, and makes any attempt of this kind, does she not come within the meaning of the Constitution, where it speaks of levying war? And in levying war, she does what the Constitution declares to be treason. We may as well talk of things as they are, for if anything can be treason, within the scope of the Constitution, is not levying war upon the Government, treason? Is not attempting to take the property of the Government and expel the Government soldiers therefrom, treason? Is not attempting to resist the collection of the revenue, attempting to exclude the mails, and driving the Federal Court from her borders, treason? What is it? I ask, in the name of the Constitution, what is it? It is treason, and nothing but treason."

He, at some length, reviewed the philosophy of secession, and gave the President's Ostend Manifesto a very practical application. It was necessary to purchase Cuba in order to prevent a foreign power from occupying soil so closely conjoined to the United States to be in other hands. Yet, here it was proposed to erect a foreign Government right in the

heart of the country, to obstruct its commerce, to excite war on its borders, and to endanger its stability.

Has South Carolina any right to draw her sister States into one common ruin? Mr. Johnson here quoted from Gov. Gist's Message and from Mr. Keitt's speeches to show that such was the intention. He (Johnson) would tell South Carolina that, as far as Tennessee was concerned, she would not be dragged into a Southern or any other Confederacy until she had time to consider about it! He would also tell the Northern States that Tennessee would not be driven out of the Confederacy either. If the Abolitionists wanted to abolish Slavery, the first step they would take would be to dissolve the Union. The existence of Slavery demands a preservation of the Union. What protection will the Border States have if the Union is dissolved, whose property is at stake, and whose interests are most endangered? If a division were commenced, where would it stop? Rather than see the Government divided into thirty-three petty, wrangling powers, he would see it a consolidated Government and consolidated power. What is the reason for disunion? Because our man was not elected! If Mr. Breckenridge had been elected, not one would have wanted to break up the Union; but Mr. Lincoln is elected, and now they say they will break up the Union. He said, No. What was there to fear? Mr. Lincoln was a minority President. Let South Carolina send her Senators back, and Mr. Lincoln cannot even make a Cabinet without the consent of the Senate. Was he to be such a coward as to retreat when it was evident the South had the power in their own hands? Was he to be so cowardly as to desert a noble band at the North who stood by the South on principle? Yet, for a temporary defeat it is proposed to turn our backs on them and leave them to their fate. We have nothing to do but to stand firmly at our posts like men, and in four years' time Lincoln and his party will both be hurled from power. What reason, then, is there for desertion and the breaking up of the Government? He believed that we could obtain all needed guarantees. He entertained every patriot to come forward in the spirit of brotherly love, to stand around the

altar of our common country, to lay the Constitution upon it, and to swear that the Constitution shall be maintained and the Union preserved. He thought it better to preserve the Union, even if we had a quarrel with the North sometimes. It was better to quarrel with the North occasionally than to quarrel among ourselves. Mr. Johnson here referred to the remark of the Senator from Georgia (Iverson) about some Texas Brutus arising to relieve that State of her Governor unless he should conform to the wishes of the people. This, he (Johnson) said, does not look much like harmony. He appealed to the South to pause and consider before they rashly go too far. He earnestly appealed to the North to come forward with propositions of peace, conciliation, and concession. They know that Congress has power to-day to arrest secession and save the Union. Will they come forward, or desert the sinking ship? For one he would stand supporting the edifice of his country as long as human efforts could last. Mr. Johnson closed with a strong, earnest, and eloquent appeal for all to stand by the Constitution and the Union.

This speech from a Southern man of great influence in his State materially strengthened the cause of the Union. It awakened the Union men of the Border Slave States to a full comprehension of the crisis and its relations to their interests; for, unlike all other Union speeches, it had a large circulation among the people of those States.

[A part of the system of disunion tactics, from the early stages of the movement, was to keep the large body of the people ignorant of the true nature of the relations and sentiments of the North by suppressing—except in garbled and perverted versions—all documents and statements calculated to enlighten the Southern people, in the fullest sense. Probably the world never has known so intelligent a people to be so hoodwinked and deceived by its orators and presses as the people of the Southern States during the year 1860. A Northern man, cognisant of all sides of the argument, and knowing all the given facts of parties, principles and men, in reading a paper published anywhere South of Kentucky would be

Settled System of
Deception.

amazed at its *apparent* ignorance. It was but apparent, however; for, with free access to all correct sources of information, Southern editors could have produced as correct journals as their readers had a right to demand. That they, daily and weekly, issued papers, every column of which was loaded with misstatements, and with matter calculated to influence the passions and prejudices of Southern men against the North, against the Union, against individuals and enterprises, is to their lasting dishonor; and the future historian will refer to them as exemplars of a policy from which Machiavelli could have drawn rich materials with which to instruct his Prince. Constant familiarity with Southern journals for several years past has forced us to believe that the press of the South is more directly responsible for the revolution than the leading actors in it. This view is confirmed by the opinions of many eminent and candid Southern men.]

The Committee of
Thirteen.

Mr. Breckenridge, Speaker of the Senate, on the 20th, announced the Committee of Thirteen, on the Crisis, under Mr. Powell's resolution, viz.:—Messrs. Powell, Hunter, Crittenden, Seward, Toombs, Douglas, Collamer, Davis, Wade, Bigler, Rice, Doolittle and Grimes. Mr. Davis (Reuben), of Mississippi, was, at his own request, excused, "on account of the position in which the State stood." He afterwards, however, consented, at the request of Southern Senators, to serve.

In the House, December 20th, Mr. Delano

(Republican), of Massachusetts, read a resolution, "for information," as follows:

Resolution of
Inquiry.

"Whereas, by report of the proceedings in the State Convention of South Carolina, held on the 19th inst., the Hon. Wm. Porcher Miles, a Member of this House, used the following language: 'In a conversation, and subsequently in a written communication to the President, I know this to have been said: 'If you send a solitary soldier to these forts, the instant the intelligence reaches our people, and we shall take care that it does reach us before it can reach the forts, the forts will be taken, because such a course is necessary to our safety and self-preservation;' therefore,

"Resolved, That the President be required to communicate to the House what information he has received, either oral or in writing, to the effect that if the forts of Charleston are further reinforced, the forts will be taken by any force or authority hostile to the authority and supremacy of the United States."

The reading of this resolution and preamble caused much excitement on the Southern side of the House. Taken in connection with Mr. Clarke's Resolution of Inquiry in the Senate, it foreshadowed a purpose to compel the President to reveal all his dealings with the conspirators against the Union—a revelation which Southern Members, and a few Northern Democrats strenuously opposed.

No further proceedings of interest to our subject transpired in either Houses during the week, the Pacific Railroad Bill, the Deficiency Bill, &c., &c., being under consideration.

CHAPTER XIV.

THE SOUTH CAROLINA CONVENTION. THE ORDINANCE OF SECESSION. GENERAL PROCEEDINGS. THE DECLARATION OF INDEPENDENCE ADOPTED.

Assembling of the Convention.
The South Carolina Convention of Delegates assembled in Columbia, December 17th. After four ballots for President, General D. F. Jamison was chosen to preside over its deliberations. The smallpox raging as an epidemic at Columbia, induced the Convention to adjourn to Charleston.

Governor Pickens Inaugurated.
Hon. F. W. Pickens having been elected Governor by the Legislature, was inaugurated December 17th. His message was quite up to the sentiment of the State. Mr. Pickens was chosen Governor for his firmness, sagacity, and strong Southern feelings. His succeeding administration proved him to have been an able and judicious officer.

The Convention's Proceedings.
Dec. 19th, the Convention assembled in Charleston, and held a session, on that day, chiefly to organize, name committees, and prepare for business. As preliminary to a full understanding of the responsibilities and changes to be incurred by secession, members had a free interchange of sentiments—Chancellor Dunken and Judge Magrath making speeches. Several important resolutions, looking to a Conference of States to form a new Government, to a Commission of adjustment to the President, &c., &c., were referred to the proper Committees.

On the 20th, a Committee was named to draft a Summary of Causes of the secession of South Carolina. Mr. Rhett's resolution to appoint a Committee of Thirteen for the purpose of providing for the assemblage of a Convention of the Seceding States, and to form a constitution, was adopted. A report from the Committee to prepare and draft an

ordinance proper to be adopted by the Convention, was submitted by Mr. Inglis, viz:—

The Ordinance of Secession.

“AN ORDINANCE to dissolve the Union between the State of South Carolina and other States united with her under the Compact entitled ‘the Constitution of the United States of America.’

“We, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the ordinance adopted by us in Convention, on the 23d day of May, in the year of our Lord 1788, whereby the Constitution of the United States of America was ratified, and also all Acts and parts of Acts of the General Assembly of this State ratifying the amendments of the said Constitution, are hereby repealed, and that the union now subsisting between South Carolina and other States under the name of the United States of America is hereby dissolved.”

This was passed by the unanimous vote of 169, at quarter past one o'clock, P.M., (December 20th.) The fact of its adoption, was immediately given to the great crowd gathered in front of the building, created the wildest enthusiasm, while the news flew over the wires to the uttermost corners of the Union, to excite and interest the public.

An interesting debate followed, in the Convention, upon the adoption.

Interesting Debate.

In order to show how the act affected the immediate interests of the State, in the opinion of the leading men of the Convention, we may give a summary of their remarks;

Mr Magrath—I think the special matter of the ordinance should be immediately considered. To my understanding there is no collector of the port nor postmaster now

within the limits of South Carolina. What you have done to-day has extinguished the authority of every man in Carolina deriving authority from the General Government. I am in favor of this body making such provisional arrangements as may be necessary, in the interval which may exist between this moment and the time when the Legislature may act. I am not, however, to be implicated as sanctioning the idea that there is no lawful authority, within the limits of the State, except the General Government.

Mr. Gregg—After South Carolina abrogated the Constitution of the United States, are its laws still in force? I think not. All the laws of Congress fall instantly to the ground, on the act of secession.

Mr. Cheves—As an immense chasm will be made in the law, and as it is necessary, to avoid inconvenience to the people, we must make some temporary arrangements to carry on the government.

Mr. Gregg—There is no law on the subject of the collection of the duties in South Carolina now. We have now accomplished the work after forty years.

Mr. Haynes—The Congress of the United States is no longer our government. It will be for our Legislature to say what laws of the United States shall be continued, and what not. The simple act of secession does not abrogate all the laws. We have a great many laws on our statute books, which were passed by the Governor and the Privy Council.

Mr. Gregg—The Congressional laws for the collection of revenue, are for the support of the Federal Government at Washington, and all our Post-Office laws fall, on our dissolution with that Government.

Mr. Miles—We have to deal with facts and stern realities. We must prevent confusion, anarchy and the derangement of our Government affairs. Things must, for the present, remain *in statu quo*, or confusion will arise.

Mr. Hayne—Sudden action is injurious.

Mr. Chestnut—Two questions are involved—power and duty. We must preserve our people, not only from inconvenience but chaotic condition. We must revivify such laws as will best preserve us from calamities. As to duty, if you turn the ship of State adrift what will become of the officers?

Mr. Maseyck—There is no duty for the Collector of the port to do. The Post-office has been swept off. My opinion is that the present system of postal arrangement is a nuisance. The public can be better served by private parties between cities like Philadelphia and New York for one cent instead of three, and between less important, ten or more cents.

Mr. Calhoun—We have pulled a temple down that has been built three-quarters of a century. We must clear the rubbish away to reconstruct another. We are now houseless and homeless, and we must secure ourselves against storms.

Mr. Dunkin—If that ordinance be passed, things will go on in the Custom-house and Post-office exactly as now, until other arrangements can be made by this Convention. There is nothing in the ordinance to affect the dignity, honor, and welfare of the State of South Carolina. We must keep the wheels of the Government going. The Constitution of the United States is not entirely abrogated by the ordinance. What is legal tender in the payment of debts? Is it not gold and silver of the United States? In the case of clearing and entry of vessels, we are very liable to have the same confiscated.

Mr. Carroll—The present revenue would be continued till an act of the Legislature authorized otherwise.

Mr. Brown—There is no longer communication with the Government from which we are just separated.

Mr. Dunkin—The spirit of the ordinance must be temporarily sustained till we treat with the General Government.

Mr. Gregg—The President of the United States has thrown down the gauntlet in his Message. He has said that it was his duty to collect the revenue, and that he would do it. On one side, the Federal Government claims the right and declares its intention to execute the powers of collecting revenue in our ports; on the other side we have declared that we are free. I desire no compromise. Is it necessary to maintain the 15 to 40 per cent. duties imposed by the Congress of the United States? Should these duties continue to be levied, our people will suffer a terrible calamity. For carrying the mails, let the present contracts

be assumed by South Carolina instead of the United States.

Mr. Rhett—This great revolution must go on with as little danger as possible to the country. By making the Federal agents ours, the machinery will move on. The Federal laws of taxation must not exist over us. I trust that the present system of taxation has fallen forever.

Mr. Barnwell—We have seceded from the United States, and established our independence. We can't allow the United States to exercise authority over us any more. Let postal convenience be sacrificed if necessary. There never was anything purchased worth having unless it cost a sacrifice.

Mr. Maseyck said in regard to the mail, all restrictions must be removed. Let us appoint our own officers. Let the Collector of the port battle with the difficulties as they come.

At 3:40 p. m., the Convention took a recess, to meet at Institute Hall at 6½ o'clock, for the purpose of signing the ordinance.

As the Convention was leaving St. Andrew's Hall, the chimes of St. Michael's Episcopal Church pealed forth "Old Lang Syne," and other tunes.

On the 21st, Mr. Rhett, Chairman of the Committee on an address on the

Further Acts.

causes of the Secession of the State, reported. The Commissioners were elected "to treat with the United States," viz:—Ex-Governor J. H. Adams, Ex-Congressman J. L. Orr and Mr. R. W. Barnwell, who were authorized to proceed immediately to Washington, to enter upon negotiations for a peaceful settlement of the relations between the United States and the "sovereign" State of South Carolina, including the transfer of the forts, &c. A Committee reported a modification of the Constitution of the State,* so far as to substitute a *new oath of allegiance*, viz:—

"All persons who shall be elected or appointed to any office of profit or trust, before entering into the execution thereof, shall take, besides special oaths not repugnant to this Constitution prescribed by the General Assembly, the following oath:—

"I do solemnly swear (or affirm) that I will bear faithful and true allegiance to South Carolina, so long as I may continue a citizen thereof, and that I am duly qualified, according to the Constitution of

this State, to exercise the office to which I have been appointed, and will, to the best of my ability, discharge the duty of the office, and preserve, protect, and defend the Constitution of this State, so help me God."

As the Convention sat, on all important occasions, in secret session, much of its proceedings are veiled in mystery. By a special vote a reporter was rejected, and a resolution *not* to have the proceedings printed, passed with only three negative votes.

The Declaration of Causes was not definitively accepted until the evening session of Monday, December 24th. It was amended, verbally, in several cases, and, as adopted, reads as follows:—

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DECLARATION OF INDEPENDENCE OF SOUTH CAROLINA.

Done in Convention, December 24, 1860.

"The State of South Carolina, having determined to resume her separate and equal place among nations, deems it due to herself, to the remaining United States of America, and to the nations of the world, that she should declare the causes which have led to this act."

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"In the year 1765, that portion of the British Empire embracing Great Britain, undertook to make laws for the government of that portion composed of the thirteen American Colonies. A struggle for the right of self-government ensued, which resulted on the 4th of July, 1776, in a Declaration by the Colonies, 'that they are, and of right ought to be, free and independent States, and that, as free and independent States, they have full power to levy war, to conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.'

"They further solemnly declared, that whenever any form of government becomes destructive of the ends for which it was established, it is the right of

* See page 48, "A queer case." The modification of the oath was in defiance of the State Constitution, which positively stipulated that no part of that instrument should be altered, "unless a bill to alter the same shall have been read three times, &c., and agreed to by two-thirds of both branches, &c.; neither shall any alteration take place until the bill, as agreed to, be published *three months* previous to a new election," &c., &c. The delegates doubtless assumed the principle that desperate emergencies require desperate resorts. The entire proceedings of the Convention were illegal according to the Constitution of the State.

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the people to alter or abolish it, and to institute a new government.' Deeming the Gov-

ernment of Great Britain to have become destructive of these ends, they declared that the Colonies 'are absolved from all allegiance to the British Crown, and that all political connection between them and the States of Great Britain is, and ought to be, totally dissolved.'

"In pursuance of this Declaration of Independence, each of the thirteen States proceeded to exercise its separate sovereignty; adopted for itself a constitution, and appointed officers for the administration of government in all its departments—legislative, executive, and judicial. For purposes of defence, they united their arms and their counsels; and, in 1778, they entered into a league, known as the Articles of Confederation, whereby they agreed to intrust the administration of their external relations to a common agent, known as the Congress of the United States, expressly declaring, in the first article, 'that each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not, by this confederation, expressly delegated to the United States in Congress assembled.'

"Under this confederation the war of the Revolution was carried on, and, on the 3d of September, 1783, the contest ended, and a definitive treaty was signed by Great Britain, in which she acknowledged the independence of the Colonies in the following terms:

"Article 1.—His Britannic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, to be free, sovereign, and independent States; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, proprietary and territorial rights of the same and every part thereof.'

"Thus was established the two great principles asserted by the Colonies, namely, the right of a State to govern itself, and the right of a people to abolish a government when it becomes destructive of the ends for which it was instituted. And concurrent with the establishment of these principles was the fact, that each colony became and was recognized by the mother country as a free, sovereign, and independent State.

"In 1787, Deputies were appointed by the State to revise the articles of confederation, and on the 17th of September, 1787, these Deputies recommend-

ed for the adoption of the States the articles of union known as the Constitution of the United States.

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"The parties to whom this Constitution was submitted, were the several sovereign States; they were to agree or disagree, and when nine of them agreed, the compact was to take effect among those concurring; and the General Government, as the common agent, was then to be invested with their authority.

"If only nine of the thirteen States had concurred, the other four would have remained as they then were—separate, sovereign States, independent of any of the provisions of the Constitution. In fact, two of the States did not accede to the Constitution until long after it had gone into operation among the other eleven; and during that interval, they exercised the functions of an independent nation.

"By this Constitution, certain duties were charged on the several States, and the exercise of certain of their powers restrained, which necessarily implied their continued existence as sovereign States. But, to remove all doubt, an amendment was added, which declared that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. On the 23d of May, 1788, South Carolina, by a convention of her people, passed an ordinance assenting to this Constitution, and afterward altered her own constitution, to conform herself to the obligations she had undertaken.

"Thus was established, by compact between the States, a government, with defined objects and powers, limited to the express words of the grant, and to so much more only as was necessary to execute the power granted. This limitation left the whole remaining mass of power subject to the clause reserving it to the States or to the people, and rendered unnecessary any specification of reserved rights.

"We hold that the government thus established is subject to the two great principles asserted in the Declaration of Independence, and we hold further that the mode of its formation subjects it to a third fundamental principle; namely, the law of compact. We maintain that in every compact between two or more parties, the obligation is mutual—that the failure of one of the contracting parties to perform a material part of the agreement entirely releases the obligation of the other, and that, where no arbiter is provided, each party is remitted to his own judgment to determine the fact of failure with all its consequences.

"In the present case that fact is established with certainty. We assert that fifteen of the States have

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deliberately refused for years past to fulfill their constitutional obligations, and we refer to

their own statutes for the proof.

"The Constitution of the United States, in its 4th article, provides as follows :

" 'No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.'

"This stipulation was so material to the compact, that without it that compact would not have been made. The greater number of the contracting parties held slaves, and the State of Virginia had previously declared her estimate of its value by making it the condition of her cession of the Territory which now compose the States north of the Ohio River.

"The same article of the Constitution stipulates also for the rendition by the several States of fugitives from justice from the other States.

"The General Government, as the common agent, passed laws to carry into effect these stipulations of the States. For many years these laws were executed. But an increasing hostility on the part of the Northern States to the institution of slavery has led to a disregard of their obligations, and the laws of the General Government have ceased to effect the objects of the Constitution. The States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Ohio, Michigan, Wisconsin, and Iowa, have enacted laws which either nullify the acts of Congress, or render useless any attempt to execute them. In many of these States the fugitive is discharged from the service or labor claimed, and in none of them has the State government complied with the stipulation made in the Constitution. The State of New Jersey, at an early day, passed a law for the rendition of fugitive slaves in conformity with her constitutional undertaking ; but the current of anti-slavery feeling has led her more recently to enact laws which render imperative the remedies provided by her own law and by the laws of Congress. In the State of New York even the right of transit for a slave has been denied by her tribunals, and the States of Ohio and Iowa have refused to surrender to justice fugitives charged with murder and with inciting servile insurrection in the State of Virginia. Thus the constitutional compact has been deliberately broken and disregarded by the non-slaveholding States, and the consequence follows that South Carolina is released from its obligations.

"The ends for which this Constitution was framed are declared by itself to be 'to form a more perfect

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union, establish justice, insure

domestic tranquility, provide

for the common defence, pro-

tect the general welfare, and secure the blessings of liberty to ourselves and our posterity.'

"These ends it endeavored to accomplish by a Federal Government, in which each State was recognized as an equal, and had separate control over its own institutions. The right of property in slaves was recognized by giving to free persons distinct political rights ; by giving them the right to represent, and burdening them with direct taxes for three-fifths of their slaves ; by authorizing the importation of slaves for twenty years, and by stipulating for the rendition of fugitives from labor.

"We affirm that these ends for which this government was instituted have been defeated, and the government itself has been made destructive of them by the action of the non-slaveholding States. These States have assumed the right of deciding upon the propriety of our domestic institutions, and have denied the rights of property established in fifteen of the States and recognized by the Constitution ; they have denounced as sinful the institution of slavery ; they have permitted the open establishment among them of societies whose avowed object is to disturb the peace and to eloign the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes, and those who remain have been incited by emissaries, books and pictures to servile insurrection.

"For twenty-five years, this agitation has been steadily increasing, until it has now secured to its aid the power of the common government. Observing the forms of the Constitution, a sectional party has found within that article establishing the executive department the means of subverting the Constitution itself. A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be intrusted with the administration of the common government, because he has declared that that 'government cannot endure permanently half slave, half free,' and that the public mind must rest in the belief that slavery is in the course of ultimate extinction.

"This sectional combination for the subversion of the Constitution has been aided in some of the States by elevating to citizenship persons, who, by the supreme law of the land, are incapable of becoming citizens, and their votes have been used to inaugurate a new policy hostile to the South, and destructive of its peace and safety.

"On the 4th of March next, this party will take

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possession of the Government. It has announced that the South shall be excluded from the com-

mon territory; that the judicial tribunals shall be made sectional, and that a war must be waged against slavery until it shall cease throughout the United States.

"The guarantees of the Constitution will then no longer exist; the equal rights of the States will be lost. The slaveholding States will no longer have the power of self-government or self-protection, and the Federal Government will have become their enemies.

"Sectional interest and animosity will deepen the irritation, and all hope of remedy is rendered vain by the fact that public opinion at the North has invested a great political error with the sanctions of a more erroneous religious belief.

"We, therefore, the people of South Carolina, by our delegates in convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the union heretofore existing between this State and the other States of North America is dissolved, and that the State of South Carolina has resumed her position among the nations of the world as a free, sovereign, and independent State, with full power to

levy war, conclude peace contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

The Declaration of Causes.

"And, for the support of this declaration with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

In the course of the day's proceedings many very able speeches were made, eliminating points in the Declaration. Among others Messrs. Rhett and Keitt declared the Fugitive Slave law to be unconstitutional, and Mr. Meminger confessed the question to be legally embarrassing.*

December 24th Gov. Pickens, agreeably to the ordinance of secession, issued his proclamation declaring to the world that "South Carolina is, and has a right to be a separate, sovereign, free, and independent State, and, as such, has a right to levy war, conclude peace, negotiate treaties, leagues or covenants, and to do all acts whatever that rightfully appertain to a free and independent State."

CHAPTER XV.

HOW THE NEWS WAS RECEIVED. STATE OF PUBLIC FEELING IN THE NORTH. INTEREST IN MAJOR ANDERSON. THE PORTS OF CHARLESTON HARBOR.

Telegraphic Dispatches.

We cannot more vividly describe the effect of the news of South Carolina's

secession than to reproduce a few of the telegraphic dispatches which fairly blazed over the wires from the Southern States:

"PENSACOLA, Dec. 20.

"The secession of South Carolina is greeted with immense enthusiasm here. One hundred guns are being fired in honor of the event."

"MONTGOMERY, Dec. 20.

"Governor Moore has ordered one hundred guns to be fired at noon to-morrow, in honor of the secession of South Carolina."

"MOBILE, Dec. 20.

"The secession of South Carolina was celebrated here this afternoon by the firing of a hundred guns,

* For assuming the identical position of Mr. Rhett and his followers, the Northern States are declared, with singular want of consistency, to have heaped wrongs and indignations upon the South.

The case is analagous to that referred to, (page 27, *note*.) wherein the South declares negroes human beings to obtain their Congressional representation, and denies that they are human beings when it requires the Constitution to regard them as chattels—thus illustrating the adage that a mule may be a horse, when the king has no horse.

the cheers of the people, and a military parade. There is great rejoicing. The bells are now ringing merrily, and the people are out in the streets by hundreds, testifying their joy at the triumph of secession. Many impromptu speeches are being made, and the greatest excitement everywhere exists."

"NEW ORLEANS, Dec. 21.

"A general demonstration of joy on the secession of South Carolina occurred here to-day. One hundred guns were fired, and the Pelican flag unfurled. Impromptu secession speeches were made by leading citizens, and the Marseilles Hymn and Polkas were the only airs played. A bust of Calhoun was exhibited, decorated with a cockade."

"MACON, Dec. 21.

"We are jubilant over the secession of South Carolina. There is a grand procession of Minute-men, and bonfires, bells ringing, cannon firing, and Main street illuminated. Speeches have been made by J. R. Branham, R. A. Smith, C. Anderson, P. Tracy, and others."

"WILMINGTON, Dec. 21.

"One hundred guns were to-day fired in honor of the secession of South Carolina."

"PORTSMOUTH, Dec. 21.

"Fifteen guns were fired to-day. The Palmetto flag was displayed at Norfolk."

"BALTIMORE, Dec. 21.

"Fifteen guns were fired to-day. The Palmetto flag was displayed at Norfolk."

"BALTIMORE, Dec. 21.

"South Carolina secession produced not the slightest sensation here, one way or the other. People seemed relieved and cheerful, and the streets were gayly crowded, and business was better. The prevailing sentiment seems to be that if the North now does right, and makes honorable, manly concessions, indicating an absolute determination to cultivate friendly feelings, and will repeal the obnoxious laws, the other Southern States will cheerfully meet them."

"RICHMOND, Dec. 21.

"The secession of South Carolina seems to give great satisfaction here. A movement is on foot to hoist the Palmetto flag, with fifteen stars, from the Custom-house."

"NORFOLK, Dec. 21.

"The Minute-men of Norfolk send greeting to South Carolina. With the glorious Palmetto flag thrown to the breeze and floating over our heads, we have just fired fifteen guns in honor of the first step taken by that gallant State, and emblematic, we hope, of coming events. All honor and glory to the game-cock of the South.

"CHAS. HARRIS,

"Chief of Minute-men of Norfolk."

"MEMPHIS, Dec. 22.

"There was an enthusiastic meeting here last night, to ratify the secession of South Carolina. Fifteen guns were fired, and *The Avalanche* newspaper office and other buildings illuminated."

"PETERSBURG, Dec. 23.

"A secession pole, 100 feet high, with the Palmetto flag, was hoisted on the most prominent street yesterday morning, amid the cheers from a large crowd."

Congress was in session

when Mr. Garnett, of Virginia, announced the act of

How Congress Received the News.

secession. The announcement scarcely attracted attention. The Pacific Railway bill was under consideration at the moment. In view of the contingencies likely to arise, Mr. G. declared that his State could not be held responsible for the payment of her share of the bonds necessary to build the road. "Why, sir," he said, "while your bill is under consideration, one of the sovereign States of this Confederacy has, by the glorious act of her people, withdrawn, in vindication of her rights, from the Union, as the telegraph announced at half-past one to-day." This was followed by the clapping of hands from a few Southern members, but no further notice was taken of it, and the bill was put upon its passage. The two remaining Representatives from South Carolina, Messrs. Boyce and Ashmore, arose from their seats, shook hands with their friends, and retired from the Hall—thus leaving the State without a member in the National Congress.

The news (it was telegraphed from Springfield) was received calmly by Mr. Lincoln. An editorial article which appeared in the Springfield (Ill.) *Journal*, understood to speak for Mr. Lincoln, said: "If South Carolina does not obstruct the collection of the revenues, at her ports nor violate another

Federal law, there will be no trouble and she will not be out of the Union. If she violates the law then comes the tug of war. The President of the United States, in such an emergency, has a plain duty to perform. Mr. Buchanan may shirk it, or the emergency may not exist during his administration. If not, then the Union will last through his term of office. If the overt act, on the part of South Carolina, takes place on or after the 1st day

of March, 1861, then the duty of executing the laws will devolve upon Mr. Lincoln."

A leading New York journal, in its issue of the 21st, commenting on the Republican sentiment, in regard to the crisis, said: "Never, in any habitual excitement, or in any public crisis, have we seen such calmness, steadiness, and firmness, among the masses of the people, as now prevail through the Free States. * * From Maine to Kansas the freemen are quiet, yet resolved. Their feelings and wishes are expressed in the recent speech of Senator Wade. They have done no wrong, and have

Feelings of the
Republicans.

no apologies to offer. They stand by the Constitution and the Union, and are not

yet ready to repudiate the Fourth of July or to trample on the Star-Spangled Banner. In all history a more admirable spectacle was never witnessed than is now afforded by this great people, unalarmed at the clamor, and determined only that the controversy of which it is a feature shall now be finally settled, so that it cannot be revived again by the fools, fanatics and demagogues of a future day." It is certain, however, that a most powerful excitement prevailed among a large class of citizens, who, in Union meetings, and by communications to the press, expressed their wishes for compromise. To allay the storm they were willing to make every sacrifice of partizan and personal preferences, if not of principles, in order to restore the country to its late state of peace and commercial prosperity. This class embraced heavy merchants and manufacturers, whose interests had been injured by the excitement and cessation of trade, together with the Douglas and Breckenridge Democrats generally, and a few nominal Republicans; but, as stated by the journal above quoted from, it was true that the vast majority of the Republicans were firm in their resolves not to compromise, at the expense of a jot of their principles. They entered into Union meetings in the spirit of Unionists rather than to concede ought to the Disunionists. They were satisfied with the Constitution as it was, yet were desirous, apparently, of peace, if it could be won without a compromise of their convictions of political and social right.

Every attention was now directed to the

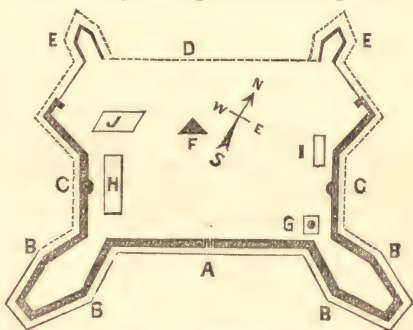
next steps which South Carolina might take. The general opinion prevailed that nothing of an offensive character would transpire until the Commissioners named had visited Washington and learned the purposes of the President; but, the report gained currency that Fort Moultrie was in danger of assault at any moment, and the interest in Anderson's position became hourly heightened. It was reported that Anderson had orders to surrender if the proper State authorities should demand it; but this was authoritatively denied by the Secretary of War, Dec. 22d. It was necessary to make the denial, since public opinion was assuming an unmistakable tone of exasperation at the conduct of the President and Secretary of War.

Major Anderson's
position.

The character of the defenses at that time was thus given by the Charleston

The Charleston Har-
bor Forts.

Mercury, which had, by a series of careful observations, obtained the information published in order to make the people fully aware of the nature of the works and the probable resistance to any attempt for their capture.



FORT MOULTRIE.

- A. Gate and drawbridge.
- B. Abutments, commanding gate and the approaches.
- C. Old Sally-ports.
- D. Moat.
- E. Bastionettes, commanding moat.
- F. Furnace for heating shot.
- G. Powder magazine.
- H. Barracks.
- I. Officers' quarters.
- J. Kitchen, storehouse, &c.

"Until late in the past Summer the defenses of Fort Moultrie have remained in an unfinished condition; the sand of the beach, piled up by the wind against the South walls, had rendered them easily accessible almost by a single leap, and the empty guns were suffered to gaze out in harmless majesty upon the noble bay. A fortnight has worked a marvellous change.

Fort Moultrie. "Fort Moultrie is an enclosed water battery, having a front on the South, or water side, of about 300 feet, and a depth of about 240 feet. It is built with salient and re-entering angles on all sides, and is admirably adapted for defense, either from the attack of a storming party, or by regular approaches.

"The outer and inner walls are of brick, capped with stone, and filled in with earth, making a solid wall 15 or 16 feet in thickness. The work now in progress consists in cleaning the sand from the walls of the fort; ditching it around the entire circumference, and erecting a glacis; closing up the postern gates in the east and west walls, and, instead, cutting sally-ports, which lead into strong outworks on the south-east and south-west angles, in which 12-pounder howitzer guns will be placed, enabling the garrison to sweep the ditch on three sides with grape and canister. The north-west angle of the fort has also been strengthened by a bastionette, to sustain the weight of a heavy gun which will command the main street of the island. The main entrance has also been better secured, and a trap-door, two feet square, cut in the door for ingress and egress. At this time, the height of the wall from the bottom of the ditch to the top of the parapet is 20 feet. The ditch is from 12 to 15 feet wide at the base, and 15 feet deep. The nature of the soil would not seem to admit of this depth being increased, quicksand having been reached in many places. The work on the south side is nearly finished. The counterscarp is substantially built with plank, and spread with turf. The glacis is also finished. It is composed of sand, and covered with layers of loam and turf, all of which is kept firmly in place by the addition of sections of plank nailed to uprights sunk in the sand, and crossing each other at right angles, making squares of ten feet each. The purpose of the glacis, which is an inclined plane, is to expose an attacking party to the fire of the guns, which are so placed as to sweep it from the crest of the counterscarp to the edge of the beach. On the north side all the wooden guncases have been placed close together on the ramparts, apparently for the purpose of securing it against an escalade, but possibly as a screen for a battery of heavy guns. A good many men are engaged in clearing the ramparts of turf and earth, for the purpose of putting down a very ugly-looking arrangement, which consists of strips of planks 4 inches wide, 1½ inches thick, and 6 or 8 feet long, sharpened at the point, and nailed down, so as to project about 3 feet horizontally from the top of the walls.

"A noticeable fact in the bastionettes to which we have above alluded, is the haste in which one of

them has been built. The one completed is formed of solid masonry. In constructing the other, however, a framework of plank has been substituted. Against the inside of this wooden outwork loose bricks have been placed. Both bastionettes are armed with a small carronade, and a howitzer pointed laterally so as to command the whole intervening moat by a cross-fire.

"In the hurried execution of these extensive improvements, a large force—about 170 men—are constantly engaged. Additions are daily made to this number, and the work of putting the post in the best possible condition for defense, is carried on with almost incredible vigor.

"A few days ago Colonel Gardner, who for years had held the Commandant's position, and whose courtesy and bearing had won the friendship of all who knew him was relieved in the command by Major Robert Anderson of Kentucky. The Garrison.

Major Anderson received his first commission as Brevet 2d Lieutenant, 2d Artillery, July 1st, 1825, was acting Inspector-General in the Black Hawk War, and received the rank of Brevet Captain, August, 1838, for his successful conduct in the Florida war. On September 8th, 1847, he was made Brevet-Major, for his gallant and meritorious conduct in the battle of Molino del Rey.

"The other officers are: Captain Abner Doubleday, Captain T. Seymour, Lieutenant T. Talbot, Lieutenant J. C. Davis, Lieutenant N. J. Hall—all of the First Regiment Artillery.

"Captain J. G. Foster and Lieutenant G. W. Snyder, of the Engineer Corps.

"Assistant-Surgeon S. W. Crawford, of the Medical Staff.

"The force under these gentlemen consists of two companies of Artillery. The companies, however, are not full, the two comprising, as we are informed, only about seventy men, including the band. A short time ago two additional companies were expected, but they have not come; and it is now positively stated that there will be for the present, at least, no reinforcement of the garrison.

"While the working men are doing wonders on the outside, the soldiers within are by no means idle. Field pieces have been placed in position upon the green within the fort, and none of the expedients of military engineering have been neglected to make the position as strong as possible. It is said that the greatest vigilance is observed in every regulation at this time, and that the guns are regularly shotted every night. It is very certain that ingress is no longer an easy matter for an outsider, and the visitor who hopes to get in must make up his mind to approach with all the caution, ceremony and circumlo-

cution with which the allies are advancing upon the capital of the Celestial Empire.

Fort Sumter, the largest of our fortresses, is a work of solid masonry, octagonal in form, pierced on the north, east and west sides with a double row

of port-holes for the heaviest guns, and on the south or land side, in addition to openings for

guns, loop-holes for musketry, stands in the middle of the harbor, on the edge of the ship channel, and is said to be bomb-proof. It is at present without any regular garrison. There is a large force of workmen—some one hundred and fifty in all—busily employed in mounting the guns and otherwise putting this great strategic point in order. The armament of Fort Sumter consists of 140 guns, many of them being the formidable ten-inch "Columbiads," which throw either shot or shell, and which have a fearful range. Only a few of these are yet in position, and the work of mounting pieces of this calibre in the casemates is necessarily a slow one. There is also a large amount of artillery stores, consisting of about 40,000 pounds of powder, and a proportionate quantity of shot and shell. The workmen engaged here sleep in the fort every night, owing to the want of any regular communication with the city. The wharf or landing is on the south side, and is of course exposed to a cross fire from all the openings on that side.

The fortress most closely commanding the city and its roadstead is Castle Pinckney, which is located on the southern extremity of a narrow slip of marsh land, which extends in a northerly direction to Hog Island Channel. To the harbor side the so-called castle presents a circular front. It has never been considered of much consequence

as a fortress, although its proximity to the city would give it importance, if properly armed and garrisoned. From hasty observation, we find that there are about fifteen guns mounted on the parapet; the majority of them are eighteen and twenty-four pounders. Some "Columbiads" are, however, within the walls. There are also supplies of powder, shot, and shell. At present there is no garrison at the post; the only residents are one or two watchmen, who have charge of the harbor light. Some thirty or forty day laborers are employed repairing the cisterns, and putting the place generally in order."

The arsenal in Charleston was already lost to the Government by direct orders of Secretary Floyd—having been, early in December, turned over to the Governor's care under plea of keeping it safe from mob seizure. Why were not the arms transported, in October, to Fort Moultrie? Why had the Secretary placed,

in advance, in that arsenal, the quotas of muskets to be assigned to several Southern States? It will be found only one of many acts evidencing direct complicity with the revolutionists on the part of Mr. Floyd, from an early stage of the conspiracy, that 70,000 stand of arms were placed in that arsenal and turned over *for safe keeping* to the revolutionists themselves. Whatever justification the secession leaders may urge for their refusal to obey the laws, it will be found impossible to justify the duplicity and treason practiced by cabinet officers who used their high positions and sworn authority to betray their confiding constituents. If Mr. Floyd, or Mr. Cobb, or Mr. Thompson, even *thought* secession, they had no right, as honorable and just men, to remain a single day in the cabinet. That they did remain, to scheme and plot against the government which was paying them their salaries, which they had sworn solemnly to uphold and defend, from which they had received *all* their honors and political position, cannot fail to attach a stigma to their names which no historian may efface, let the result of the Revolution be what it may. Benedict Arnold's treason was not more odious to mankind because of its failure—its success would have equally rendered his name a synonym of moral turpitude.

Secretary Thompson's Complicity.

Secretary Thompson paid a hurried visit to North Carolina (December 18th),

to induce the State Legislature to act on the question of a cooperation of States in the Secession movement. The Secretary was understood to be entirely committed to the plans of the Seceders in disrupting the Union; but, like most of the Conservatives in the Gulf States, preferred that there should be cooperation among the States, thus to render the safety of the act more assured, and the formation of a Slave Confederacy more expeditious. The Secretary acted as the Commissioner of Mississippi to North Carolina.

The Crisis Committee of Thirty-three, on Monday, (December 17th,) received

The Crisis Committee. Second week.

from Mr. Rust, of Arkansas, a proposition which he assumed was the ultimatum of the South. It was, in substance, the extension of the Missouri Compromise line to the Pacific,

with recognition and *protection* of Slavery South of it. Consultations were constantly being held by the different Congressional delegations, to consider the several schemes proposed and the action proper and necessary for their representative on the Committee. This representative, therefore, became the exponent of the ideas and feelings of his State.

Tuesday, Mr. Winter Davis' proposition was adopted *unanimously*. It was as follows:

"*Resolved, by the Senate and House of Representatives, That several States be respectfully requested to cause their statutes to be revised, with a view to ascertain if any of them are in conflict with, or tend to embarrass or hinder the execution of the laws of the United States, made in pursuance of the 2d section of the IVth article of the Constitution of the United States for the delivery up of persons held to labor by the laws of any State and escaping therefrom; and the Senate and House of Representatives earnestly request that all enactments having such tendency be forthwith repealed, as required by a just sense of constitutional obligations, and by a due regard for the peace of the Republic. And the President of the United States is requested to communicate these resolutions to the Governors of the several States, with the request that they will lay the same before the Legislatures thereof respectively.*"

This resolution, apparently, gave the assurance that the Republicans were solicitous in regard to Constitutional obligations. The discussion which grew out of its introduction elicited the confession from Southern members that the Republicans had been misrepresented on the question of the enforcement of the Fugitive Slave Law, while the several "Liberty Bills" of Northern States, which underwent a searching analysis, were shown to be in strict concordance with the Constitution, and comparatively harmless in their reputed opposition to an enforcement of the Fugitive Law. The day's work was, therefore, highly satisfactory, as it won from the Southerners themselves, acknowledgments of their hitherto misapprehensions and misinterpretations of the Anti-Slavery opposition of the North. A sub-committee, consisting of Messrs. Davis, Dunn, Millson, Bristow and Kellogg, was appointed, to consider the amendments proposed by Southern members to the Fugitive Slave Law.

Wednesday's session of the Committee was directed to the consideration of Mr. Rust's

ultimatum proposition; but no definite action was taken. The Republicans expressed their opposition to an actual protection to the institution South of the line named. It would involve the recognition of the right of Slavery to *Congressional* protection—a right they were, under any circumstances, unwilling to concede.

Thursday's proceedings were devoted to the further discussion of the Rust proposition. Mr. Adams of Massachusetts in a very able and elaborate speech, took the position that the Republican party could not consent to any proposition looking to a *protection* of Slavery in Territories, or to amendments to the Constitution, looking to a recognition of Slavery by that instrument.

The proceedings of Friday were confined to the Rust propositions. It was decided, finally, to adjourn the vote, on their acceptance or rejection, to Thursday, December 29th. After adjournment the Republican Members of the Committee remained in close conference for some time.

The Senate Committee of Thirteen also held a session on Friday. Mr. Wade of

The Senate Committee of Thirteen.

Ohio repeated the substance of his previous declarations. He stated that "no compromise could be made, as the Republicans had done nothing unconstitutionally, not having been in power to do so. Mr. Lincoln, having been elected according to the Constitution of the United States, he ought to have the same chance as others had before him to develop his policy, which would be perfectly consistent with their constitutional rights. The assumption that the Republicans, nothing having been brought against them of any practical character, were going to do some wrong, was an insult, and came with bad grace from a party that had so much mischief to the country."

This brought out Mr. Douglas, who, in a spirit of great candor and earnestness, declared that "he was ready now to unite in recommending such amendments to the Constitution as will take the Slavery question out of Congress. In view of the dangers which threaten the Republic with disunion, revolution, and civil war, he was prepared to act upon the matters in controversy, without any

regard to his previous action, and as if he had never made a speech or given a vote on the subject."

Mr. Crittenden expressed a like spirit, and gave utterance to the hope that nothing might at least result from the acts of the Committee which would, in any degree, savor of a disinclination to adjust differences and thus to court the calamities of disunion.

Gov. Hicks's Union
Declaration.

We may add to our chapter of the week's features a reference to the recep-

tion, by Gov. Hicks, of Maryland, of the Commissioner from Mississippi, Judge H. K. Handy. Their correspondence, as published, Saturday, Dec. 22d, in the Baltimore papers, showed that, under the executive hand of Gov. Hicks, Maryland could not be thrown into the secession movement. The gist of the correspondence may thus be given:

Judge Handy inquires whether the Governor will convene the Legislature for the purpose of cooperating with Mississippi in measures necessary to defend the rights of the South and to form a new confederacy.

The Governor replies at some length. He says that Maryland is identified with the Southern States in feeling, institutions, and habits; but she is also conservative and devoted to the union of the States under the Constitution, and her people will use all honorable means to preserve and perpetuate these. He declares that the sentiments of the people are almost unanimous in favor of upholding and maintaining their rights under the Constitution. They believe that their rights will yet be admitted and secured, and not until it is certain they will be respected no longer—not until every honorable, constitutional, and lawful effort to secure them is exhausted—will they consent to any efforts for a dissolution of the Union. The people of Maryland are anxious that time should be given and opportunity afforded for a fair and honorable adjustment of the difficulties and grievances of which they, more than the people of any other State, have a right to complain.

He believes that a large majority of the people of the Union desire an adjustment, and he thinks it will be promptly effected. Until the effort is found vain, he cannot consent to any precipitate revolutionary action

to aid in the dismemberment of the Union. When he is satisfied that there is no hope of adjustment, and not until then, will he exercise any power with which he is vested to afford even an opportunity for such a proceeding. Whatever powers he may have he will use only after full consultation with the other Border States, since we and they, in the event of any dismemberment of the Union, will suffer more than all the others combined. He states that he is now in correspondence with the Governors of these States, and awaits with much solicitude the indications of the course to be pursued by them. When this is made known, he will be prepared to take such steps as duty and the interests of the State demand. He is, consequently, unable to say whether or when the Legislature will be called.

The Hon. W. S. Featherstone, Commissioner from the same State to Kentucky, had an interview with Gov. Magoffin, of Kentucky, Dec. 21st., but the result was not definitively made known until a later day.

December 21st, Caleb

Cushing arrived in Charleston as a messenger from the President to the Con-

Caleb Cushing's
Mission to Charleston.

vention. His mission was understood to be to prevail upon the Convention to respect the *status quo* of the Federal laws during Mr. Buchanan's administration, giving guarantees of a non-reinforcement of Major Anderson. He remained but five hours in the city, and returned immediately to Washington to report that the Convention would make no promises whatever—that it must act as circumstances might dictate—leaving all negotiations to special commissioners. A cabinet meeting was called (Dec. 22nd,) upon his return, when a stormy and anxious session is reported to have been held.

The Committee's Saturday's Session, was one of earnest consideration. Mr. Crittenden's Compromise Resolutions were brought forward and acted upon. The entire plan was supported by Messrs. Bigler and Douglas, as well as by Mr. Crittenden himself, with remarkable power and zeal. Mr. Douglas reiterated his expressed determination to consider the question for the preservation of the country, as though he had never cast a vote

or uttered a sentiment on the subject before. If that mode of compromise would not answer, he declared himself willing to go for any other, consistent with honor or justice.

The appeals of Mr. Crittenden in behalf of the Union are said to have been sublime. He, too, was willing to embrace any other effective mode of adjustment.

Mr. Bigler, of Pennsylvania, preferred a division, by a line, across the country, because in that way the question of Slavery could be taken out of Congress and separated entirely from the popular elections in the North, without which we never could have permanent peace.

Messrs. Wade, Doolittle, Collamer and Grimes, opposed the proposition with much earnestness. They maintained that the people, in the late election, decided the question of Slavery in Territories, and therefore they had no concessions to make or offer. They manifested great unwillingness to act, in the absence of Mr. Seward, but as they could give no assurance of his immediate return, the Committee declined to defer action on account of his absence.

Messrs. Davis, Toombs and Hunter discussed the present unhappy condition of the country with real feeling and power, and, while manifesting a willingness to accept any measure of final settlement which would secure their just rights in the Union, insisted that propositions must come from the dominant party, the Republicans.

The vote on Mr. Crittenden's first resolution was as follows:

For the proposition—Messrs. Bigler, Crittenden, Douglas, Rice and Powell—5.

Against it—Messrs. Davis, Doolittle, Collamer, Wade, Toombs, Grimes and Hunter—7.

Messrs. Hunter, Toombs and Davis, nevertheless, intimated an inclination to go for

it if the Republicans would propose it in good faith.

The second proposition submitted by Mr. Crittenden, denying the right of Congress to abolish Slavery in the dockyards and arsenals, was voted against by Messrs. Collamer, Doolittle, Grimes and Wade. The remainder of the committee voted for the proposition, but as it had not a majority of the Republicans, it was defeated under the rules adopted by the Committee, that no proposition should be considered adopted and recommended to the Senate which did not receive a majority of the Republican votes and also a majority of those opposed to the Republicans.

The third clause, denying the right of Congress to abolish Slavery in the District of Columbia was defeated by the same vote, the Republicans all voting against it, and the remainder of the Committee for it.

The fourth clause, establishing the right of transit, was defeated by the same vote.

The fifth, which is intended to perfect the Fugitive Slave law, by requiring the several States to pay for fugitives who might be rescued from the officers of the law, was lost by the same vote, the Republicans all voting in the negative.

Many other propositions were offered and voted upon, but none of leading importance, none that would meet the great exigencies of the times.

Mr. Davis submitted a resolution expressly recognizing property in slaves, but no vote was taken on it.

Mr. Toombs submitted a series of resolutions, embracing substantially the principles of the Breckenridge platform, but final action was not taken on them.

The Committee adjourned, to meet at ten o'clock on Monday morning.

CHAPTER XVI.

THE SOUTH CAROLINA CONVENTION PROCEEDINGS CONTINUED ADDRESS TO THE SLAVEHOLDING STATES. IMPORTANT LEGIS- LATION.

Address to the Slave-
holding States.

THE Address to the peo-
ple of the Slaveholding
States was introduced by

Mr. Rhett, in the South Carolina Convention, Monday, Dec. 24th. It was considered Monday and Tuesday, and, after various amendments, was adopted as follows :

“ THE ADDRESS OF THE PEOPLE OF SOUTH CAROLINA, ASSEMBLED IN CONVENTION, TO THE PEOPLE OF THE SLAVEHOLDING STATES OF THE UNITED STATES.

“ It is now seventy-three years since the union between the United States was made by the Constitution of the United States. During this period their advance in wealth, prosperity, and power, has been with scarcely a parallel in the history of the world. The great object of their union was external defense from the aggressions of more powerful nations ; now complete, from their mere progress in power, thirty-one millions of people, with a commerce and navigation which explores every sea, and of agricultural production which are necessary to every civilized people, command the friendship of the world. But, unfortunately, our internal peace has not grown with our external prosperity. Discontent and contention have moved in the bosom of the Confederacy for the last thirty-five years. During this time South Carolina has twice called her people together in solemn convention, to take into consideration the aggressions and unconstitutional wrongs perpetrated by the people of the North on the people of the South. These wrongs were submitted to by the people of the South, under the hope and expectation that they would be final. But these hopes and expectations have proved to be void. Instead of being incentives to forbearance our submission has only instigated to new forms of aggressions and outrage, and South Carolina, again assembling her people in convention, has this day dissolved her connection with the States constituting the United States.

“ The one great evil, from which all other evils have flowed, is the overthrow of the Constitution of

the United States. The Government of the United States is no longer the government of a con-

federate republic, but of a consolidated democracy. It is no longer a free government, but a despotism. It is, in fact, such a government as Great Britain attempted to set over our fathers, and which was resisted and defeated by a seven years' struggle for independence.

“ The Revolution of 1776 turned upon one great principle, self-government and self-taxation, the criterion of self-government. Where the interests of two people united together under one Government are different, each must have the power to protect its interests by the organization of the Government or they cannot be free. The interests of Great Britain and of the colonies were different and antagonistic. Great Britain was desirous of carrying out the policy of all nations toward their colonies of making them tributary to their wealth and power. She had vast and complicated relations with the whole world. Her policy toward her North American colonies was to identify them with her in all these complicated relations, and to make them bear, in common with the rest of the empire, the full burden of her obligations and necessities. She had a vast public debt ; she had a European policy and an Asiatic policy, which had occasioned the accumulation of her public debt, and which kept her in continual wars. The North American colonies saw their interests, political and commercial, sacrificed by such a policy. Their interests required that they should not be identified with the burdens and wars of the mother country. They had been settled under charters which gave them self-government, at least so far as their property was concerned. They had taxed themselves, and had never been taxed by the Government of Great Britain. To make them a part of a consolidated empire, the Parliament of Great Britain determined to assume the power of legislating for the colonies in all cases whatsoever. Our ancestors resisted the pretension. They refused to be a part of the consolidated Government of Great Britain.

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holding States.

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holding States.

"The Southern States now
stand exactly in the same posi-
tion toward the Northern States

that our ancestors in the colonies did toward Great Britain. The Northern States, having the majority in Congress, claim the same power of omnipotence in legislation as the British Parliament. 'The general welfare' is the only limit to the legislation of either; and the majority in Congress, as in the British Parliament, are the sole judges of the expediency of the legislation this 'general welfare' requires. Thus the Government of the United States has become a consolidated Government, and the people of the Southern States are compelled to meet the very despotism their fathers threw off in the Revolution of 1776.

"The consolidation of the Government of Great Britain over the colonies was attempted to be carried out by the taxes. The British Parliament undertook to tax the colonies to promote British interests. Our fathers resisted this pretension. They claimed the right of self-taxation through their Colonial Legislatures. They were not represented in the British Parliament, and therefore could not rightfully be taxed by its Legislature. The British Government, however, offered them a representation in the British Parliament; but it was not sufficient to enable them to protect themselves from the majority, and they refused it. Between taxation without any representation, and taxation without a representation adequate to protection, there was no difference. By neither would the colonies tax themselves. Hence they refused to pay the taxes laid by the British Parliament.

"The Southern States now stand in the same relation toward the Northern States, in the vital matter of taxation, that our ancestors stood toward the people of Great Britain. They are in a minority in Congress. Their representation in Congress is useless to protect them against unjust taxation, and they are taxed by the people of the North for their benefit, exactly as the people of Great Britain taxed our ancestors in the British Parliament for their benefit. For the last forty years the taxes laid by the Congress of the United States have been laid with a view of subserving the interests of the North. The people of the South have been taxed by duties on imports, not for revenue, but for an object inconsistent with revenue—to promote, by prohibitions, Northern interests in the productions of their mines and manufactures.

"There is another evil in the condition of the Southern toward the Northern States, which our ancestors refused to bear toward Great Britain. Our ancestors not only taxed themselves, but all the taxes collected from them were expended among them. Had they submitted to the pretensions of

the British Government, the
taxes collected from them
would have been expended on

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other parts of the British Empire. They were fully aware of the effect of such a policy in impoverishing the people from whom taxes are collected, and in enriching those who receive the benefit of their expenditure. To prevent the evils of such a policy was one of the motives which drove them on to revolution. Yet this British policy has been fully realized toward the Southern States by the Northern States. The people of the Southern States are not only taxed for the benefit of the Northern States, but after the taxes are collected three-fourths of them are expended at the North. This cause, with others connected with the operation of the General Government, has provincialized the cities of the South. Their growth is paralyzed, while they are the mere suburbs of Northern cities. The basis of the foreign commerce of the United States are the agricultural productions of the South; yet Southern cities do not carry it on. Our foreign trade is almost annihilated. In 1740 there were five ship-yards in South Carolina to build ships to carry on our direct trade with Europe. Between 1740 and 1779 there were built in these yards twenty-five square-rigged vessels, besides a great number of sloops and schooners, to carry on our coast and West India trade. In the half century immediately preceding the Revolution, from 1725 to 1775, the population of South Carolina increased seven-fold.

"No man can for a moment believe that our ancestors intended to establish over their posterity exactly the same sort of government they had overthrown. The great object of the Constitution of the United States, in its internal operation, was, doubtless, to secure the great end of the Revolution—a limited free government—a government limited to those matters only which were general and common to all portions of the United States. All sectional or local interests were to be left to the States. By no other arrangement would they obtain free government by a Constitution common to so vast a Confederacy. Yet by gradual and steady encroachments on the part of the North, and submission on the part of the South, the limitations in the Constitution have been swept away, and the Government of the United States has become consolidated, with a claim of limitless powers in its operations.

"It is not at all surprising, while such is the character of the Government of the United States, that it should assume to possess power over all the institutions of the country. The agitations on the subject of Slavery in the South are the natural results of the consolidation of the Government. Responsibility follows power; and if the people of the North

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have the power by Congress 'to
promote the general welfare of
the United States' by any means

they deem expedient, why should they not assail and overthrow the institution of Slavery in the South? They are responsible for its continuance or existence, in proportion to their power. A majority in Congress, according to their interested and perverted views, is omnipotent. The inducements to act upon the subject of Slavery, under such circumstances, were so imperious as to amount almost to a moral necessity. To make, however, their numerical power available to rule the Union, the North must consolidate their power. It would not be united on any matter common to the whole Union—in other words, on any constitutional subject—for on such subjects divisions are as likely to exist in the North as in the South. Slavery was strictly a sectional interest. If this could be made the criterion of parties at the North, the North could be united in its power, and thus carry out its measures of sectional ambition, encroachment, and aggrandizement. To build up their sectional predominance in the Union, the Constitution must be first abolished by constructions; but, that being done, the consolidation of the North to rule the South, by the tariff and Slavery issues, was in the obvious course of things.

"The Constitution of the United States was an experiment. The experiment consisted in uniting under one Government different peoples, living in different climates, and having different pursuits of industry and institutions. It matters not how carefully the limitations of such a government be laid down in the constitution—its success must at least depend upon the good faith of the parties to the constitutional compact in enforcing them. It is not in the power of human language to exclude false inferences, constructions, and perversions, in any constitution; and when vast sectional interests are to be subserved, involving the appropriation of countless millions of money, it has not been the usual experience of mankind that words on parchment can arrest power. The Constitution of the United States, irrespective of the interposition of the States, rested on the assumption that power would yield to faith—that integrity would be stronger than interest, and that thus the limitations of the Constitution would be observed. The experiment has been fairly made. The Southern States, from the commencement of the Government, have striven to keep it within the orbit prescribed by the Constitution. The experiment has failed. The whole Constitution, by the constructions of the Northern people, has been swallowed up by a few words in its preamble. In their reckless lust for power they seem unable to compre-

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hend that seeming paradox, that
the more power is given to the
general Government the weaker

it becomes. Its strength consists in its generality and limitations. To extend the scope of its power over sectional or local interests, is to raise up against it opposition and resistance. In all such matters the General Government must necessarily be a despotism, because all sectional or local interests must ever be represented by a minority in the councils of the General Government—having no power to protect itself against the rule of the majority. The majority, constituted from those who do not represent these sectional or local interests, will control and govern them. A free people cannot submit to such a Government; and the more it enlarges the sphere of its power the greater must be the dissatisfaction it must produce, and the weaker it must become. On the contrary, the more it abstains from usurped powers, and the more faithfully it adheres to the limitations of the Constitutions, the stronger it is made. The Northern people have had neither the wisdom nor the faith to perceive that to observe the limitation of the Constitution was the only way to its perpetuity.

"Under such a Government there must, of course, be many and endless 'irrepressible conflicts,' between the two great sections of the Union. The same faithlessness which has abolished the Constitution of the United States, will not fail to carry out the sectional purposes for which it has been abolished. There must be conflict; and the weaker section of the Union can only find peace and liberty in an independence of the North. The repeated efforts made by South Carolina, in a wise conservatism, to arrest the progress of the General Government in its fatal progress to consolidation, have been unsupported and denounced as faithless to the obligations of the Constitution by the very men and States who were destroying it by their usurpations. It is now too late to reform or restore the Government of the United States. All confidence in the North is lost in the South. The faithlessness of half a century has opened a gulf of separation between them which no promises or engagements can fill.

"It cannot be believed that our ancestors would have assented to any union whatever with the people of the North if the feelings and opinions now existing among them had existed when the Constitution was framed. There was then no tariff—no Negro fanaticism. It was the delegates from New England who proposed, in the Convention which framed the Constitution, to the delegates from South Carolina and Georgia, that if they would agree to give Congress the power of regulating commerce by a majority, that they would support the extension of the

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African slave-trade for twenty
years. African Slavery existed
in all the States but one. The idea

that they would be made to pay that tribute to their Northern Confederates which they had refused to pay to Great Britain, or that the institution of African Slavery would be made the grand basis of a sectional organization of the North to rule the South, never crossed their imaginations. The Union of the Constitution was a Union of Slaveholding States. It rests on Slavery, by prescribing a representation in Congress for three-fifths of our slaves. There is nothing in the proceedings of the Convention which framed the Constitution to show that the Southern States would have formed any other Union, and still less that they would have formed a Union with more powerful non-Slaveholding States, having a majority in both branches of the Legislature of the Government. They were guilty of no such folly. Time and the progress of things have totally altered the relations between the Northern and Southern States since the Union was first established. That identity of feeling, interests and institutions which once existed is gone. They are now divided between agriculture, and manufacturing, and commercial States—between Slaveholding and non-Slaveholding States. Their institutions and industrial pursuits have made them totally different peoples. That equality in the government between the two sections of the Union which once existed no longer exists. We but imitate the policy of our fathers in dissolving a Union with non-Slaveholding Confederates, and seeking a Confederation with Slaveholding States.

"Experience has proved that Slaveholding States cannot be safe in subjection to Non-Slaveholding States. Indeed, no people ever expect to preserve their rights and liberties unless they are in their own custody. To plunder and oppress where plunder and oppression can be practiced with impunity, seems to be the natural order of things. The fairest portions of the world have been turned into wildernesses, and the most civilized and prosperous communities have been impoverished and ruined by Anti-Slavery fanaticism. The people of the North have not left us in doubt as to their designs and policy. United as a section in the late Presidential election, they have elected as the exponent of their policy one who has openly declared that all the States of the United States must be made Free States or Slave States. It is true that among those who aided in this election, there are various shades of Anti-Slavery hostility. But if African Slavery in the Southern States be the evil their political combinations affirm it to be, the requisitions of an inexorable logic must lead them to emancipation. If it is right

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to preclude or abolish Slavery
in a Territory, why should it be
allowed to remain in the States?

The one is not at all more unconstitutional than the other, according to the decisions of the Supreme Court of the United States. And when it is considered that the Northern States will soon have the power to make that Court what they please, and that the Constitution never has been any barrier whatever to their exercise of power, what check can there be in the unrestrained counsels of the North to emancipation? There is sympathy in association, which carries men along without principle; but when there is principle, and that principle is fortified by long existing prejudices and feelings, association is omnipotent in party influences. In spite of all disclaimers and professions, there can be but one end to the submission by the South to the rule of a sectional Anti-Slavery Government at Washington; and that end, directly or indirectly, must be the emancipation of the slaves of the South. The hypocrisy of thirty years—the faithlessness of their whole course from the commencement of our union with them—show that the people of the non-Slaveholding North, are not and cannot be safe associates of the Slaveholding South under a common Government. Not only their fanaticism, but their erroneous views of the principles of free Governments render it doubtful whether, separated from the South, they can maintain a free Government among themselves. Brute numbers with them is the great element of free Government. A majority is infallible and omnipotent. 'The right divine to rule in kings' is only transferred to their majority. The very object of all constitutions, in free, popular governments, is to restrain the majority. Constitutions, therefore, according to their theory, must be most unrighteous inventions, restricting liberty. None ought to exist, but the body politic ought simply to have a political organization, to bring out and enforce the will of a majority. This theory may be harmless in a small community, having an identity of interests and pursuits, but over a vast State—still more, over a vast Confederacy, having various and conflicting interests and pursuits—it is a remorseless despotism. In resisting it, as applicable to ourselves we are vindicating the great cause of free government, more important, perhaps, to the world than the existence of the United States. Nor in resisting it, do we intend to depart from the safe instrumentality the system of government we have established with them requires. In separating from them we invade no rights—no interest of theirs. We violate no obligation of duty to them. As separate, independent States in Convention, we made the Constitution of the United States with them; and as sepa-

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rate, independent States, each
State acting for itself, we adopt-
ed it. South Carolina, acting in

her sovereign capacity, now thinks proper to secede from the Union. She did not part with her sovereignty in adopting the Constitution. The last thing a State can be presumed to have surrendered is her sovereignty. Her sovereignty is her life. Nothing but a clear, express grant can alienate it. Inference should be dumb. Yet it is not at all surprising that those who have construed away all the limitations of the Constitution should also by construction claim the annihilation of the sovereignty of the States. Having abolished all barriers to their omnipotence by their faithless constructions in the operations of the General Government, it is most natural that they should endeavor to do the same toward us in the States. The truth is, they having violated the express provisions of the Constitution, it is at an end as a compact. It is morally obligatory only on those who choose to accept its perverted terms. South Carolina, deeming the compact not only violated in particular features, but virtually abolished by her Northern Confederates, withdraws herself as a party from its obligations. The right to do so is denied by her Northern Confederates. They desire to establish a despotism, not only omnipotent in Congress, but omnipotent over the States; and as if to manifest the imperious necessity of our secession, they threaten us with the sword, to coerce submission to their rule.

"Citizens of the Slaveholding States of the United States, circumstances beyond our control have placed us in the van of the great controversy between the Northern and Southern States. We would have preferred that other States should have assumed the position we now occupy. Independent ourselves, we disclaim any design or desire to lead the councils of the other Southern States. Providence has cast our lot together, by extending over us an identity of pursuits, interests and institutions. South Carolina desires no destiny separated from yours. To be one of a great Slaveholding Confederacy, stretching its arms over a territory larger than any power in Europe possesses—with population four times greater than that of the whole United States when they achieved their independence of the British Empire—with productions which make our existence more important to the world than that of any other people inhabiting it—with common institutions to defend, and common dangers to encounter, we ask your sympathy and confederation. While constituting a portion of the United States, it has been your statesmanship which has guided it in its mighty strides to power and expansion. In the field as in the Cabinet, you have led the way to its renown

and grandeur. You have loved
the Union, in whose service your
great statesmen have labored,

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and your great soldiers have fought and conquered—not for the material benefits it conferred, but with the faith of a generous and devoted chivalry. You have long lingered and hoped over the shattered remains of a broken Constitution. Compromise after compromise, formed by your concessions, has been trampled under foot by your Northern confederates. All fraternity of feeling between the North and the South is lost, or has been converted into hate, and we, of the South, are at last driven together by the stern destiny which controls the existence of nations. Your bitter experience of the faithlessness and rapacity of your Northern confederates may have been necessary to evolve those great principles of free Government, upon which the liberties of the world depend, and to prepare you for the grand mission of vindicating and re-establishing them. We rejoice that other nations should be satisfied with their institutions. Self-complacency is a great element of happiness, with nations as with individuals. We are satisfied with ours. If they prefer a system of industry in which capital and labor are in perpetual conflict—and chronic starvation keeps down the natural increase of population—and a man is worked out in eight years—and the law ordains that children shall be worked only ten hours a day—and the saber and bayonet are the instruments of order—be it so. It is their affair, not ours. We prefer, however, our system of industry, by which labor and capital are identified in interest, and capital, therefore, protects labor, by which our population doubles every twenty years; by which starvation is unknown, and abundance crowns the land; by which order is preserved by an unpaid police, and the most fertile regions of the world where the Caucasian cannot labor are brought into usefulness by the labor of the African, and the whole world is blessed by our own productions. All we demand of other peoples is to be let alone to work out our own high destinies. United together, and we must be the most independent, as we are the most important among the nations of the world. United together, and we require no other instrument to conquer peace than our beneficent productions. United together, and we must be a great, free, and prosperous people, whose renown must spread throughout the civilized world, and pass down, we trust, to the remotest ages. We ask you to join us in forming a confederacy of Slaveholding States.

On Wednesday, Dec. 26th, among other resolutions offered, was one by Mr. Spain, that the Governor be requested to communicate to the Convention in secret session, any informa-

Resolution of Inquiry.

tion he possesses in reference to the condition of Forts Moultrie and Sumter, and Castle Pinckney, the number of guns in each, the number of workmen and kind of labor employed, the number of soldiers in each, and what additions, if any, have been made since the 20th instant? also, whether any assurance has been given that the forts will not be reinforced, and if so, to what extent; also, what police or other regulations have been made, if any, in reference to the defenses of the harbor of Charleston, the coast and the State. This was considered in secret session, the same day, and is said to have hastened Major Anderson's movements, being considered by him as indicative of a design to seize Fort Sumter, and all other forts except Moultrie, which he would be called upon to evacuate.

Ordinance for a Southern Confederacy.

Mr. Rhett offered an ordinance looking to the future alliance of the Slave States. He wished the ordinance tabled *without reading*, as it was thought best to await a response to the Address given above before the substance of the ordinance was made public. Mr. Memminger doubted if there was authority for receiving a paper without one reading, whereupon Mr. Rhett read it; it was as follows:

"First, That the Convention of the seceding Slaveholding States of the United States unite with South Carolina, and hold a Convention at Montgomery, Alabama, for the purpose of forming a Southern Confederacy.

"Second, That the said seceding States appoint, by their respective Conventions or Legislatures, as many delegates as they have Representatives in the present Congress of the United States, to the said Convention, to be held at Montgomery; and that, on the adoption of the Constitution of the Southern Confederacy, the vote shall be by States.

"Third, That whenever the terms of the Constitution shall be agreed upon by the said Convention, the same shall be submitted at as early a day as practicable to the Convention and Legislature of each State, respectively, so as to enable them to ratify or reject the said Constitution.

"Fourth, That in the opinion of South Carolina, the Constitution of the United States will form a suitable basis for the Confederacy of the Southern States withdrawing.

"Fifth, That the South Carolina Convention ap-

point, by ballot, eight delegates to represent South Carolina in the Convention for the formation of a Southern Confederacy.

"Lastly, That one Commissioner in each State be elected to call the attention of the people to this ordinance."

Ordinance of Revenue Customs, &c.

The evening secret session was devoted to a consideration of the revenue laws and regulations. An ordinance was adopted defining in its preamble the necessity for some provisional arrangement, and declaring that South Carolina sought no advantage over her sister Slaveholding States by commercial restrictions, and resolved that all the customs officers of the United States "within the limits of South Carolina be, and they are hereby appointed to hold, under the Government of this State exclusively, without any further connection whatever with the Federal Government of the United States, the same offices they now fill, until otherwise directed, and that they receive the same pay and emoluments for their services." Also, that "until it is otherwise provided by this Convention, or the General Assembly, the revenue collection and navigation laws of the United States, as far as may be practicable, be and they are hereby adopted and made laws of this State, saving that no duties shall be collected upon imports from the States forming the late Federal Union known as the United States of America, nor upon the tonnage of vessels owned in whole or in part by the citizens of said States," &c., &c.

The 4th, 5th, 6th and 7th sections of the ordinance were as follows, viz. :—

Fourth.—All vessels built in South Carolina or elsewhere, and owned to the amount of one-third by a citizen or citizens of South Carolina, or any of the Slaveholding Commonwealths of North America, and commanded by citizens thereof and no other, shall be registered as vessels of South Carolina, under the authority of the Collector and Naval Officer.

Fifth.—All official acts of the officers aforesaid, in which it is usual and proper to set forth the authority under which they act, or style of documents issued by them or any of them, be in the name of the State of South Carolina.

Sixth.—All moneys hereafter collected by any officers aforesaid shall, after deducting the sums necessary for the compensation of the officers and other expenses, be paid into the Treasury of the State of South Carolina for the use of said State,

subject to the order of this Convention or of the General Assembly.

Seventh.—The officers aforesaid shall retain in their hands all property of the United States in their possession, custody, or control, subject to the disposal of the State, who will account for the same upon a final settlement with the Government of the United States.

Secret Action.

The evacuation of Fort Moultrie took place on the night of the 26th. The excitement which followed upon the act resulted, among other things, in the seizure, by the State, of the telegraph lines leading out of Charleston, and in the Convention's sitting almost exclusively in secret session. The legislation, therefore, of the Convention was not made immediately public and was only learned either from the enforcement of the acts, or through the partial record of the Charleston newspapers. The Convention assumed the responsibility of the conduct of affairs in the harbor as well as on land—thus setting aside the power of the Governor and Legislature. Gov. Pickens acted under its orders and instructions.

An ordinance entitled an ordinance to amend the Constitution of South Carolina, in respect to the Executive Departments, was passed in secret session of the Convention, Dec. 27th. It provided as follows:

First, That the Government has power to receive ambassadors, ministers, consuls, and agents of foreign powers; to conduct negotiations with foreign powers; to make treat-

ties, by and with the advice and consent of the Senate; to nominate all officers; to appoint ambassadors, ministers, and consuls, as the General Assembly may previously direct, and also all other officers whose appointment has not otherwise been provided for by law; to fill vacancies during the recess of the Senate, by granting commissions, which shall expire at the end of the next session of the Senate; to convene the Senate whenever it thinks it necessary, provided, nevertheless, during the existence of the Commission, that all treaties, directions for the appointment of ambassadors, ministers, consuls, etc., be subject to the advice and consent of the Committee.

Second, That the Governor immediately appoint four persons, with the advice and consent of the committee, who, with the Lieutenant Governor, shall form a Council, whose duty it shall be to advise with him.

The seizure of the Custom House, Arsenal, Post-office, Castle Pinckney, &c.—the occupation of Fort Moultrie and of Sullivan's Island—the removal of the buoys from the channel, thus necessitating a special pilot for entrance—the suppression of the lights in the light-houses—the additional fortification of the city and its approaches—the enlistment of an army—all were accomplished by the almost unrelenting labors of the Convention and Governor, in the three days following Major Anderson's movement.

CHAPTER XVII.

A WEEK OF EXCITING EVENTS. THE ROBBERY OF THE INTERIOR DEPARTMENT. THE ALLEGHANY ARSENAL AFFAIR. ALABAMA ELECTION. THE SOUTH CAROLINA COMMISSIONER'S ARRIVAL AT WASHINGTON. AFFAIRS IN VIRGINIA. LIST OF ARMY AND NAVY OFFICERS FROM SOUTH CAROLINA. SENATOR TOOMBS' TELEGRAPHIC ADDRESS. HOPELESSNESS OF COMPROMISE.

THE week of December 25th to January 1st was ushered in by a revelation of fraud which startled the entire country. The facts were substantially as follows:—

Secretary Thompson, returning from his trip to North Carolina, Sunday

evening, December 25th, called immediately upon the President, to advise him that he had been informed, by letter, of a large robbery in his department. It was decided to investigate the matter at once. Proceeding to the offices Mr. Thompson attempted to examine the safe in which the Indian bonds

were kept, but discovered the key to be missing. He made several attempts to find it, but failed. Different statements were made by different subordinates, as to the whereabouts of Mr. Godard Bailey, disbursing clerk, a native of South Carolina, to whom the bonds were specially intrusted, and who held the key of the safe. He was found, and asked for the key, but could not produce it. The Secretary, at once suspecting the worst, proceeded to the office of Mayor Berrett and solicited a special police force. With these he returned to the Department, and put a guard at every avenue leading to it. The clerks were summoned, and orders given not to allow any of them to pass out. The safe was then broken open. The bonds were missing. The register of the bonds was found. Monday, Bailey, it was ascertained, was missing. Mr. Black, Secretary of State, District Attorney Ould and others, having knowledge of the nature of the bonds, were called in by Secretary Thompson. The clerks were severally examined as to their knowledge of the disappearance of the instruments. After much close investigation, Monday and Tuesday, the facts were elicited. They proved to be as follows:—

About two months previous to the discovery of the loss, Mr. E. Russell, of the firm of Majors, Russell & Waddell, held about a million of dollars of the official acceptances of the Secretary of War. These acceptances had been given, conditionally, *in advance*, for transportation of supplies of the army, under contract with the Government. Mr. Russell, not finding himself able to negotiate the acceptances, was greatly embarrassed, pecuniarily; and, ascertaining from Godard Bailey, with whom he was intimately acquainted, that the latter had control over three millions of Indian Trust Funds, invested in bonds of different States, arranged with him for about half a million of dollars—these bonds to be hypothecated in New York. As security he gave Bailey the acceptances of Mr. Floyd, which Bailey placed in the safe where the bonds were kept. During December these bonds greatly depreciated, and the bankers in New York, who made advances on them, called for additional security. Bailey, in order to save the bonds, delivered over

\$300,000 worth of them additional, in all \$870,000. On the 18th of December he addressed a letter to the Secretary of the Interior, frankly imparting these facts, and requesting an investigation. This letter he gave to a Senator to be delivered to the Secretary on his return from North Carolina, which request was complied with. The investigation proved the truth of the statements.

A Philadelphia journalist having investigated the matter, wrote of it as follows:—

"Floyd, to aid Russell, Majors & Co., in complying with their huge contract for the transportation of army supplies from the Missouri River to Utah, accepted their drafts, in some instances absolutely, in others conditionally, for a sum exceeding \$800,000. Subsequently he allowed Russell, Majors & Co. to draw the whole amount due them under their contract, with the assurance on their part that all of his acceptances as Secretary of War should be retired. Drafts matured, and Russell, Majors & Co were unable to meet them, and others were soon to mature, which, unless money could be had, would be protested also. Under these circumstances, Mr. Bailey, the clerk in charge of the Indian Trust Fund, who, it is said, married a niece of Secretary Floyd, was approached by an agent of Russell, Majors & Co., and told that unless the acceptances referred to were provided for immediately, the Secretary of War would be disgraced irredeemably. He was then asked to lend to Russell, Majors & Co., temporarily, State bonds of the Indian Trust Fund *to the amount of eight hundred and seventy thousand dollars*. Bailey, influenced by the conviction that this breach of trust was the only means of saving the honor of the Secretary of War, and satisfied, also, that Russell, Majors & Co. would be able to replace the bonds according to promise, delivered bonds amounting to \$870,000 to Maj. Russell, the principal of that firm, who hypothecated them to the Bank of the Republic, New York. This is said to be Bailey's version of his unfortunate breach of official trust, which it was impossible to conceal longer, inasmuch as the Indian Bureau had applied for the coupons, to collect the January interest on the bonds abstracted. Hence, the confession of Bailey to the Secretary of the Interior, on Saturday, of the whole affair."

This affair, whatever its causes, was unfortunate in its results, since it added much to public excitement, and turned popular sentiment very strongly against an administration which had failed so utterly to answer to the demands of the hour. Report magnified the

sum abstracted to millions, and linked Mr. Floyd's name as a principal in the robbery—thus intensifying the feeling of indignation growing among all classes in the North against the Southern men in the Cabinet. Mr. Cobb had retired, leaving a bankrupt treasury; and now that Mr. Floyd and the Department of the Interior were responsible for a most gigantic breach of public trust, it gave rein to the most exaggerated stories of perfidy and recklessness in the Cabinet. But, the facts were as given above. The sum abstracted amounted to eight hundred and seventy thousand dollars, which, being in bonds, were traced; and Messrs. Russell, Majors and Waddell, being possessed of a vast property, were enabled, eventually, to save the Government from serious loss.

The Pittsburgh (Alleghany) Arsenal Excitement.

This great temporary defalcation was followed by the *Pittsburgh (Alleghany) Arsenal Excitement*, which,

for a few days, threatened serious consequences, and added materially to the alarm of the friends of the Union. An order was given to ship from the arsenal 78 guns to Newport, near Galveston, Texas, and 46 guns to Ship Island, near Balize, at the mouth of the Mississippi river. As the fortresses at both points named were still unfinished, the order of shipment, it was felt, was given thus early in order to place the valuable guns in the hands of the Secessionists. The news dispatch from Pittsburgh, dated Monday, December 24th, said that the Chairman of the House Committee on Military affairs had been telegraphed for information—that leading Democrats of the city telegraphed to the President to have the order of shipment immediately countermanded, since the people never would allow the guns to leave the arsenal—that a call, signed by citizens of all parties, was made public arranging for a meeting of citizens to take necessary action in the matter—that a report gained currency of large amounts of shot, shell, muskets and accoutrements having already been sent South, &c. An immense meeting was held on Thursday in the street opposite the Court-house. The report of proceedings stated that several resolutions were adopted “declaring loyalty to the Union, and ability to defend ourselves against all

enemies of the Union; deprecating any interference with the shipment of arms under Government orders, however inopportune or impolitic the order might appear; deploring the existing state of things in connection with the administration of important departments of the public service so as to have shaken confidence in the people of the Free States; that while Pennsylvania is on guard at the Federal capital it is her special duty to look to the fidelity of her sons, and in that view call on the President as a citizen of this Commonwealth, to see that the public receive no detriment at his hands. It behooves the President to purge his cabinet of every man known to give aid and comfort to, or in any way countenancing the revolt of any State against the authority of the Constitution and the Laws of the Union. A dispatch from the Hon. Robert McKnight, asking the people to make no further resistance, but to ask for a suspension of the shipment of the guns until further advices were received from the War Office, was read and approved.”*

This storm was thus momentarily allayed, to be succeeded by the announcement that Fort Moultrie had been evacuated and disabled, and Fort Sumter occupied by Major Anderson's entire force. It is scarcely possible to express the excitement which followed this news. The Union fairly trembled under the conflicting emotions awakened by the act. In the South it aroused the spirit of resistance to its highest pitch. “To arms” became the cry, for all believed it to be the

Evacuation of Fort Moultrie Excitement.

* The order was :—

“Send *immediately* to Ship Island, near Balize, (Mouth of Mississippi), 46 cannon, and to Galveston 78 cannon,” naming the kinds.

The schedule was as follows :—

21 ten-inch Columbiads,	15,200 lbs.	= 319,200 lbs.
21 eight-inch ditto	9,240 “	= 194,040 “
4 32 pounders, (iron),	7,250 “	= 29,000 “
46 To Ship Island.		

Total weight of metal, 542,240 lbs.

23 ten-inch Columbiads,	15,200 lbs.	= 349,600 lbs.
48 eight-inch ditto	9,240 “	= 443,520 “
7 32 pounders, (iron),	7,250 “	= 50,750 “
78 To Galveston.		

Total weight of metal, 843,870 lbs.

first movement toward "coercing" the rebellious States. In the North it aroused a perfect acclamation of delight. "Huzza for Major Anderson!" became the street-greeting, for, without a full knowledge of the affair, men believed it to foreshadow a determination, on the part of the Administration, to resist any further encroachments upon its authority. [The incidents of the evacuation are given in Chapter XIX.]

The election of Delegates to the State Convention, in Alabama, came off December 24th, resulting in the choice of a large majority of unconditional Secessionists. The entire majority for secession was over fifty thousand. In many localities Union and Conservative tickets were not voted upon at all. On the same day Governor Moore issued a proclamation, convening the Legislature of that State, January 14th, to provide for any emergency which might arise from the action of the Convention, which was to meet January 7th.

On the 24th the South Carolina members of Congress (House) sent in, to the Speaker, a letter stating that, by the act of secession, their State had withdrawn from the Union, thereby dissolving their connection with the House, and that they should, accordingly, vacate their seats. The letter was signed by Messrs. John McQueen, M. L. Bonham, W. W. Boyce, and J. D. Ashmore. Mr. Keitt had previously withdrawn. The Speaker, however, directed that their names be retained on the roll and regularly called—thus failing to recognize the act of secession and the withdrawal, for that cause, of members.

The South Carolina Commissioners, Messrs. Barnwell, Orr and Adams, arrived in Washington, Dec. 26th—their mission, as before stated, being to treat with the Federal Government for a peaceful adjustment of all relations between the Government and their "Sovereign" State. The evacuation of Moultrie, by Major Anderson, not a little complicated the difficulties of their position. On the evening of their arrival a number of leading Southern men were called into counsel, to arrange more fully their line of conduct. They did not, however, lay

their first communication before the President until Dec. 29th. For the correspondence which followed, see a future Chapter.

Secession gained ground rapidly in Virginia, after Virginia's Defection the movement of South Carolina became well canvassed. Under its influence numerous meetings were called, and many individuals characterized as "Conservative" gave in to the programme for separate action. This was in Eastern Virginia. Western Virginia then, as later, was loyal to the Union, and took little part in affairs, except to protest against the course of the incendiaries, led by such wild and reckless spirits as Roger A. Pryor. John Minor Botts, one of the most eminent and able men that the State ever called citizen, thundered away with the Paixhan guns of his incontrovertible logic, against the "bloody heresy," the right of secession, and stood up grandly for the Union, the Constitution and the Laws. It was not reason, however, which controlled the hour; and Virginia, "Mother of Presidents," it became painfully apparent, was rapidly gliding into the arms of a paramour, who would rob her of her jewels and debase her ancient glory into the very dust.

The prospective movements in the South were canvassed excitedly in both army and navy, a large proportion of whose officers were Southern men. When attention was called to the subject it was found that the *materiel* of the two armies would suffer severely by the defection likely to follow, since a majority of the commissions above second lieutenantancies were held by Southern men, notwithstanding the proportion of population and wealth in the North was as three to one. South Carolina alone, with her fifty-two thousand voters, was represented in the navy and army as follows, at the date under consideration, December 24th—30th.

ARMY.

Name.	Department.	Original entry into service.
Capt. Abraham C. Myers..	Q. M. Gen. Dep.	.....1833
Maj. Adam N. McLaren....	Surg. Gen. Dep.	.....1833
Maj. Samuel P. Moore....	Surg. Gen. Dep.	.....1835
Maj. David C. Leon.....	Surg. Gen. Dep.	.....1837
Maj. James Simons.....	Surg. Gen. Dep.	.....1839
Capt. John F. Hammond.	Surg. Gen. Dep.	....1847

Arrival of Commissioners in Washington.

Army and Navy Resignations.

ARMY—continued.

Name.	Department.	Original entry into service.
Capt. Wm. W. Anderson.	Surg. Gen. Dep.	1849
Capt. Robert L. Brodie.	Surg. Gen. Dep.	1854
Capt. Nat. S. Crowell.	Surg. Gen. Dep.	1854
1st Lt. Wm. J. L'Engle.	Surg. Gen. Dep.	1856
1st Lt. Wm. A. Caiswell.	Surg. Gen. Dep.	1859
Maj. Thomas G. Rhett.	Paymaster Gen. Dep.	1845
Bvt. Col. Benj. Huger.	Ordnance Dep.	1825
Bvt. Maj. L. B. Northrup.	1st Regt. Dragoons.	1839
2d Lt. S. W. Ferguson.	1st Regt. Dragoons.	1857
Capt. R. H. Anderson.	2d Regt. Dragoons.	1842
1st Lt. J. B. Villepigue.	2d Regt. Dragoons.	1854
Capt. Wm. D. Saussure.	1st Regt. Cavalry.	1855
Capt. Nathan D. Evans.	2d Regt. Cavalry.	1848
1st Lt. Stephen D. Lee.	4th Regt. Artillery.	1854
1st Lt. Geo. S. James.	4th Regt. Artillery.	1856
2d Lt. J. H. Hollinquist.	4th Regt. Artillery.	1858
Capt. Chris. S. Lovell.	2d Regt. Infantry.	1853
1st Lt. L. W. O'Bannon.	3d Regt. Infantry.	1843
1st Lt. Jas. L. Corley.	6th Regt. Infantry.	1850
1st Lt. Ed. D. Blake.	8th Regt. Infantry.	1847
2d Lt. E. S. Camp.	9th Regt. Infantry.	1857
Capt. John Dunnivant.	10th Regt. Infantry.	1855
Capt. Barnard E. Bee.	10th Regt. Infantry.	1845

NAVY.

Name.	Duty.	Original entry into service.
Capt. Wm. B. Shubrick.	Chr. L. H. Board.	1806
Capt. C. K. Stribling.	Com. E. I. Squadron.	1812
Capt. D. N. Ingraham.	Chf. Bureau Ordnance.	1812
Com. Henry K. Hoff.	Com. rec. ship at Phil.	1823
Com. John S. Missroon.	Waiting Orders.	1824
Com. Percival Drayton.	Waiting Orders.	1827
Com. Henry J. Hartstene.	Special duty.	1828
Com. Chas. Steedman.	Com. brig Dolphin.	1828
Com. Edw. Middleton.	Waiting Orders.	1828
Lt. James H. North.	L. H. Inspector.	1829
Lt. Rd. Wainwright.	Stm. frgt. Merrimac.	1831
Lt. Thos. B. Huger.	Stm. sloop Iroquois.	1835
Lt. John Rutledge.	Waiting Orders.	1835
Lt. Henry Rolando.	Stm. sloop Lancaster.	1836
Lt. C. Morris.	Sloop Marion.	1837
Lt. Alex. F. Warley.	Waiting Orders.	1840
Lt. John R. Hamilton.	Stm. sloop Hartford.	1845
Lt. Thomas P. Pelot.	Sloop Savannah.	1849
Lt. Wm. G. Dozier.	Leave of absence.	1850
Lt. Henry C. Flagg.	Leave of absence.	1828
Lt. Maurice Simmons.	Furlough.	1839
Surgeon Arthur M. Lyrch.	Stm. frgt. Roanoke.	1830
Surgeon Chas. E. Lining.	Sloop Cyane.	1858
Purser J. S. Cunningham.	Naval Academy.	1857
Master John M. Stribling.	Steamer Wyandot.	1851
Master Philip Porcher.	Stm. frgt. Merrimac.	1851
Master Wm. E. Evans.	Stm. sloop Pensacola.	1859
Mid'n John Gumball.	Sloop Macedonia.	1854
Mid'n J. H. Ingraham.	Naval Academy.	1857

NAVY—continued.

Name.	Duty.	Original entry into service.
Mid'n Benjamin F. Perry.	Naval Academy.	1857
Mid'n R. H. Bacott.	Naval Academy.	1859
Lt. H. L. Ingraham.	Marine Corps.	1858
Engineer Geo. D. Lenny.	Stm. sloop Wyoming.	1858

These West Point Cadets from South Carolina: viz., H. S. Farley, James Hamilton and George Reynolds, resigned at the call made by the *Charleston Mercury* [see pages 45-46]; and Lieutenant J. R. Hamilton, of the United States' Steam Sloop, *Wyoming*, had thrown up his commission; but the list above given was on the rolls at the date of South Carolina's secession. After that act a rapid succession of resignations occurred, embracing officers of all grades, who almost immediately offered their services to South Carolina. The two Departments at Washington accepted these resignations without a protest! Every commission thrown up added to the record of disloyalty, ingratitude and dishonor which influenced the entire movement, so far as officials were concerned, for disunion. They not only left the house of the mother who gave them all their knowledge—all their honors—all their ability for service, but they were eager to despoil her, and, if she resisted, to stab her. It is not enough to say these *States* had the first claim to their swords, for the *States* gave them nothing, the Federal government everything. If they were unwilling to serve against their *States*, honor, duty, self-respect and true courage alike forbade that they should take up arms against the kind hand which had given them *all* they possessed. Yet, with scarcely an exception, every Southern man who resigned from the army or navy, did so to accept service against the Federal Government. The disinterested observer will not fail to find in this fact an evidence of the remarkable demoralization of sentiment which characterized the rebellion.

To inflame the zeal of the immediate Secessionists of this State, (Georgia) Mr.

Mr. Toombs's Address.

Toombs sent the following telegraphic address from Washington, on the evening of Sunday, Dec. 23d:—

"I came here to secure your constitutional rights, and to demonstrate to you that you can get no guarantee for those rights from your Northern Confederates.

"The whole subject was referred to a committee of thirteen in the Senate. I was appointed on the committee and accepted the trust. I submitted propositions which, so far from receiving a decided support from a single member of the Republican party of the committee, were all treated with derision or contempt. A vote was then taken in the committee on amendments to the Constitution, proposed by Hon. J. J. Crittenden, and each and all of them were voted against, unanimously, by the Black Republican members of the committee.

"In addition to these facts, a majority of the Black Republican members of the committee declared distinctly that they had no guarantees to offer, which was silently acquiesced in by the other members.

"The Black Republican members of this Committee are representative men of the party and section, and, to the extent of my information, truly represent them.

"The Committee of Thirty-Three on Friday adjourned for a week, without coming to any vote after solemnly pledging themselves to vote on all the propositions then before them, that day. It is controlled by the Black Republicans, your enemies, who only seek to amuse you with delusive hope until your election, that you may defeat the friends of Secession.

"If you are deceived by them, it shall not be my fault. I have put the test fairly and frankly. It is decisive against you now. I tell you, upon the faith of a true man, that all further looking to the North for security for your Constitutional rights in the Union, ought to be instantly abandoned.

"It is fraught with nothing but ruin to yourselves and to your posterity. Secession, by the 4th day of March next, should be thundered from the ballot-box by the unanimous voice of Georgia, on the 2d day of January next. Such a voice will be your best guarantee for liberty, tranquillity and glory.

(Signed,) R. TOOMBS."

This address *anticipated* the vote on Toombs' propositions. Although he stated that they were "treated with derision or contempt," no vote was taken upon them until Monday, Dec. 24th. His message, therefore, reflected more credit to his increased zeal for secession than for correctness of statement. The address was sent by telegraph Sunday, to influence the elections of Monday. It answered its purpose most admirably, for even Mr. Stephens, the hitherto champion of the Conservatives, gave over his views and entered the field as a champion for separate and immediate action. The general assumptions of the address, in regard to the impos-

sibility of obtaining concessions from the dominant party, were confirmed by the vote of Saturday (Dec. 22d.) on Mr.

No Compromise
probable.

Crittenden's resolutions [see page 90.] A dispatch, by the Associated Press reporter, dated Dec. 23d. stated: "The Senate's Select Committee having come to no conclusion yesterday on any of the points before them, the Republicans asking further time for consideration, the most hopeful now despond, seeing no immediate prospect of an accommodation of the political differences. Mr. Crittenden, in a conversation with a friend, said that was the darkest day of his life; that he was overwhelmed with solicitude for the country, and that nothing but the affection of the people for the Union can restore peace. The extremes on the Committee are equally unyielding to concession."

The same authority also added:—"The reported recent declaration of the President elect that he will strictly adhere to the Chicago platform, has confirmed the wavering Republicans to that policy, and increased the intensity of Southern feeling." This referred to a paragraph placed at the head of the editorial column of the New York Daily *Tribune*, Dec. 22d., which announced that Mr. Lincoln had no compromises to offer and was understood to adhere strictly to the principles of the Chicago platform on the question of the freedom of the territories. Mr. Wade, it would, therefore, appear, had spoken for the President elect as well as for himself, in his speech of Dec. 17th. [See pages 88-89.]

Dec. 27th. Gov. Magoffin called an extra session of the Kentucky Legislature, to meet January 17th "to consider the distracted state of the country."

The Democratic State Committee of Illinois, on Dec. 27th, issued a call for a State Convention to be held in Springfield on the 17th of January "to confer as to the existing national crisis, and to adopt some line of policy relative thereto."

At a Convention of "National Democrats," called by circular to meet at Albany, December 27th, forms of petitions were adopted, requesting the Legislature to repeal the Personal Liberty law of 1840, and to restore the Nine-months Slaveholding law of 1817, to be circulated in each county.

CHAPTER XVIII.

PROCEEDINGS OF CONGRESS CONTINUED. FOURTH WEEK. THE PROCEEDINGS OF THE COMMITTEES OF THIRTY-THREE AND THIRTEEN, UP TO DECEMBER 29TH.

THE Senate (Monday, December 24th) received propositions of settlement from Messrs. Pugh, Douglas, Bigler, &c., which were severally referred to the Committee of Thirteen. Mr. Nicholson, of Tennessee, having the floor, proceeded to address the Senate in reply to his colleague, Andrew Johnson, as well as to

Mr. Nicholson's
Speech.

Mr. Wade. He charged upon the Republican party all responsibility for the enmity felt at the South against the North—the Democrats of the North were in no manner censurable. The feeling commenced, in 1856, with the nomination of Fremont, when the first vital stab was given to the Union. He quoted from the platform of the Republican party in regard to Slavery in the Territories, to show that it was the basis of all sectionalism. He then quoted Mr. Fillmore's prediction that the success of such a party must cause disunion. The Republicans concede that in the States the South have a right to hold slave property, but establish a principle, in places where they have the power, which affixes a stigma on Southern men. All that the South has to rest upon is the professions of a party, whose general principle is to disregard the rights of the South outside their own States. Suppose that this party gets a majority in both Houses of Congress, they will abolish Slavery in the District of Columbia and in all the arsenals and dockyards, &c., of the South, and they will also refuse to admit new Slave States. Is it strange, then, that Southern men should begin to look out for their own interests, when, if this sectional power has dominion, it will surely progress towards the extinction of Slavery. The trouble is not so much that the Fugitive Slave law is not enforced, or the equality of the States denied, but that a

principle is laid down that denies the title of Southern men to property which they claim under the Constitution—a principle which strikes at the very root of a system identified with the interest, prosperity and safety of the South. In view of this he claimed that the only safety for the South in the Union, was in Constitutional guarantees against encroachments, and a protection to Slavery in Slave sections. He would do all he could to obtain proper guarantees, but if all failed he would choose secession or revolution rather than acquiesce. He regretted hasty action in the South, and he thought it better to have counsel and concerted action in the Senate. He thought that an appeal from the whole South, with unanimity of sentiment, could not be resisted by the North. He regarded the policy of the extreme Southern States as dictated by a desire to awaken the sentiment of the North rather than a love of disunion *per se*. He thought that it was the duty of the Border States to meet in solemn consultation and present their demands to the North. But from the course of the Republican organs he had scarcely a ray of hope that their demands would be granted. The chief points in our demand would be the recognition of the right of property in slaves, and the right to hold them in the Territories. Although he had not much hope left, yet he preferred to try if a solemn appeal from the South to the North would not produce a good effect. Mr. Nicholson then referred to the ordinance of secession of South Carolina, as the act of a sovereign State, saying that he should only allude to it as a fact, not argue whether it was right or wrong. He argued that any resort to force by the Federal Government was equivalent to a declaration of war by South Carolina. She had absolved

her citizens from all allegiance to the United States, and the government could not make war rightfully upon them. He drew a picture of the horrors of civil war, and urged calmness and consultation on the part of the Southern States. He concluded by expressing the hope of a more perfect Union at no distant day.

This speech elicited some remark, as foreshadowing the course of the Conservatives in Tennessee, and proved that the issue of Union or Disunion was to be forced upon Congress, in the demand for a constitutional recognition and protection of Slavery. The attitude of the Republicans against any such guarantees gave small hope, therefore, of any adjustment and, day by day, the impassibility of the gulf, widening between the Slave and Free States, became more apparent.

More Union-saving
Schemes.

In the House, John Cochrane, (Dem.,) of New York, again sought to press his views. He offered a preamble setting forth the dangers which menaced the country, suggesting the removal of the Slavery question from Congress as a remedy, and concluded with a resolution expressive of the opinion of Congress that Slavery shall not exist in the Territory north of 36 deg. 30 min., and that the States formed therefrom shall be admitted with or without Slavery, as their Constitutions may prescribe; and that, south of that line, Slavery shall not be prohibited by Congress or Territorial legislation. The next resolution asserts the sovereignty of each State, and that any attempt to compel them by force to subserve the Federal compact would be to levy war, and precipitate a revolution.

Mr. Haskin, (Dem.,) of New York, proposed, as a substitute, that the Judiciary Committee inquire into the relations now existing between the Federal Government and the State of South Carolina; the duty of the Executive Department in view of the attempted withdrawal of that State from the United States, and the threatened seizure of the Federal property within the limits of that State; and what action Congress should take to execute the Constitution, and enforce the laws, and protect the property from seizure, and that the Committee report at any time.

Mr. Cochrane wanted a vote, and desired a

suspension of the rules for that purpose, to save a reference to the Select Committee of Thirty-three. Upon a motion for its reference, Mr. Cochrane withdrew the resolution. The two Houses took a recess until December 27th.

Thursday, Dec. 27th, Mr. Doolittle, (Rep.,) of Wisconsin, addressed the Sen-

Mr. Doolittle's
Speech.

ate in a very elaborate and able argument, defending the Northern States, the Republican party, and Mr. Lincoln. As the speech met the points raised by Mr. Nicholson and others, and expressed the leading sentiment of the North-western States on the crisis, we may give place to some of the Senator's arguments and declarations.

Peace, he said, was based on two ideas—one that neither the Federal Government nor citizens of Non-Slaveholding States should make any aggression on Slavery in the States, and the other that neither the Federal Government nor the citizens of Slaveholding States should make any aggressions or undertake to overthrow Freedom in the Territories. If these conditions were broken, there cannot be peace. He said the Constitution was the supreme law of the land and of every State, and if the Constitution contains any language which would abolish Slavery in a Territory, it would abolish it in a State. He then referred to the Dred Scott decision, and claimed that there was nothing in that decision to lead any one to infer that the Constitution establishes Slavery in any Territory; nothing that justifies men in saying that the Constitution enters the Territory acquired from Mexico, and abolishes Mexican law, and establishes a law guaranteeing the right to take and hold slaves in this Territory. He urged that, if we should annex Canada, the Constitution had no power, of its own force, to repeal the law there in regard to Slavery which had been in force a hundred years. He said the Senator from Tennessee (Nicholson) had said there was a great alarm at the South, from the Free States, and said he apprehended the time would come when the Free States would attempt to amend the Constitution, so as to extinguish Slavery. Why did not the Senator from Tennessee, if he wished to allay the alarm, quote in his

speech part of the Republican platform, which declares an essential principle to be the maintenance of State rights, in order to maintain the balance of power, and denounced the invasion of any State on whatever pretext. Why did not the Senator quote from the speeches of the President elect, when he had declared over and over again that he did not intend or wish to interfere with Slavery in the States? He then read from Mr. Lincoln's speeches, where he had declared he had no purpose, directly or indirectly, to interfere with Slavery in the States. He believed he had no lawful right to do so, nor had he any inclination to do so. The Constitution, he averred, was formed by men who knew the meaning of the words they employed. They recognized the right of Slaveholding States to persons held to service, and made it the duty of the Free States to deliver up such persons; but left each State perfectly sovereign over its own laws. The law of the Slave States makes slaves property. The law of the Free States does not make them property. The Constitution does neither. Upon the idea that the Constitution establishes Slavery, we cannot have peace on the Slavery question, and we may as well know it first as last. The people of the United States will never consent that the Constitution be so altered as to become by its own force a Slavery-extending Constitution. But they do not ask a construction put upon it which will make it abolish Slavery in any State or Territory. We simply ask—let the Constitution stand as our fathers made it, neither affirming or denying; then we can have peace. He said Mr. Lincoln was in favor of giving the South the Fugitive Slave law, and read speeches to support the assertion. The South complain that they lose a great deal by fugitives, and few are reclaimed. This arises from the fact that they possess a species of property with a will of its own, and legs of its own, and desire of its own to get away. This is no fault of ours, and the North are not responsible for that. The Senator from Virginia (Mr. Mason) told us that, a few years ago, Virginia lost annually \$100,000, and he believed she lost the same now. He would concede that, for the sake of argument, Virginia had about 500,000

slaves, worth, on an average, \$800—at least, before the panic—making \$400,000,000. The loss of \$100,000 is only one-fortieth of one per cent., or about one-quarter of a mill on a dollar. This is less than the risk incurred in any other species of property in the United States. Suppose the people of the Border States resolve themselves into an insurance company, how small would be the premium to cover the loss? This special property has special advantages. It has advantages of representation, and is it strange that such property should be subjected to peculiar risks? What will those gentlemen gain by severing the bond of the Union? If they run this slight risk now, what will they run then, when the Northern States will be under no obligations to return their property? Would ten per cent cover the loss of the State? Let the bond of union be broken, and slave property would of necessity retire from the Border. I declare that those men at the North who are called Abolitionists, stand looking on to-day, with an anxiety you cannot conceive of, and their prayers are going up tonight that this Union may be broken up; that the Free States at the North must no longer be compelled, by this bond of Union, to surrender fugitive slaves. * * * * *

“The Constitution of the United States speaks in language clear enough that it is not in the power of one out of ten, or of one hundred, or of all the citizens of a State, to annul an act of Congress, because the Constitution of the United States and an act in pursuance of it is a supreme law of that State, and binding upon every citizen of that State, and every citizen must act at his peril. Now if this doctrine is true, that a State by its own mere motion can assemble in convention a mass of its citizens, by resolutions dissolve its connection with the Federal Government, and put an end to the supremacy of the Constitution and laws of the United States, several other consequences must follow. If one State can secede from all the rest, I suppose the Senator from Louisiana will not deny but that all the rest can secede from one, and that of necessity gives to this Government the power to expel a State. Your right of secession involves the right of expulsion. Let us go a little further, and see how this doctrine would apply in time of war. We were engaged in a war with Great Britain in 1812, and the New England States, it is said, were rather disaffected, and met in Convention at Hartford. Now, if the doctrine of the gentleman is correct, any of the New England States

could have resolved itself out at its pleasure and gone over to the enemy. Our fortresses in Boston Harbor, which we had manned, built, and filled with munitions and guns, they might have withdrawn from and surrendered to the enemy, and turned our own guns upon us. This is the consequence of this doctrine. But, again, take it in time of peace. Apply the doctrine to Pennsylvania, that she, by a simple resolution of her people, can withdraw from the United States. She could cut off all the mail routes going across Pennsylvania, and we could not go from Virginia to New York without going across a foreign country. So, too, with Illinois; if this doctrine is correct, we of the North-West could be cut off entirely from the East; and especially if the Union is to be broken up, we could not go to New York except by leave of Illinois, or without going through the State of Kentucky; and you propose to make that a foreign jurisdiction. Apply this doctrine further. How is it with Florida, a little State of the Gulf that has 50,000 white inhabitants—almost as many as some of the counties in the State where I live? We purchased this peninsula, and paid for it, to get rid of the foreign jurisdiction over it—also to get possession of the Key, and command the entrance to the Gulf. We paid \$35,000,000 to take the Seminoles off from it, and now these 50,000 people, whom the good people of the United States permitted to go there and settle their territories—they had hardly population enough to be admitted as a State, but we have admitted them to full fellowship—and Florida now attempts, by mere resolution of her people gathered together, to resolve herself out of the Union, and take all those fortresses, which we have spent thousands of dollars to make, with all our own guns, and turn them against us. How is it with Louisiana? The Government of the United States upon wise national principles of great national policy, purchased from the Emperor of France, or the first Consul, the Territory of Louisiana, at an expense of \$15,000,000. We purchased it to obtain possession of the great valley of the Mississippi, and above all things, to hold the mouth of that River which controls all its commerce, and discharges it upon the high seas of the world. Now, can it be contended here that because the people of whom the Federal Government has permitted to go in there, and occupy its lands, and permitted to be introduced into the family of this reunion, that she, in a moment of passion and excitement, by the mere resolution of her citizens, can resolve herself outside of the confederacy, declare that she is a foreign power, and take with her the control of the mouths of the Mississippi. I tell you, Mr. President, and I tell the Senator from Louisiana, that if any such doctrine had been understood when

Louisiana was admitted, she would never have been admitted. I tell you, sir, if any such doctrine had been asserted, her people would never have been permitted to take possession of the swamps of Louisiana. They will not willingly consent that she should hold the mouths of the Mississippi, and thus control the commerce that goes out into the Gulf. How has it been with Texas? The Federal Government admitted Texas at a time when she had a sparse population, and there were many debts against her treasury, and her credit was impaired and broken. We took her, as one of the States, into this Confederacy. The result of her annexation brought the Mexican war, which cost us 40,000 lives and nearly \$100,000,000. Now, when we have made her a good State, built fortifications, paid her debts and raised her to a position of a State in this Confederacy, with prospects as glorious, perhaps more so than any other Southern State, is she now, in a single hour or moment of passion, to resolve herself out of the Union and become a foreign power? Suppose we had paid \$200,000,000 for Cuba, and acquired her, with all her fortifications, she could now go out, and turn our own guns against us? What is all our great boasted nationality? Is it a farce and a delusion? Gentlemen sometimes complain that the Republican party are disposed to do injustice to the citizens of the South, and to their social institutions especially. But what has been the history of the Government since it was formed under the Constitution? We have acquired Florida, Louisiana, Texas and the Territory from Mexico. We have surrendered a part of Maine, and given up our claim to a large part of Oregon. Florida cost us \$40,000,000. It has been given up to the social institutions of the South. We purchased Louisiana Territory, and two-thirds of the good land has been given up to the social institutions of the South. The annexation of Texas, the war with Mexico, and the acquisition of all those territories from Mexico, may be regarded as one transaction. Now I ask you, gentlemen, in all fairness and candor, to say whether we have not surrendered to your social institutions, your full share, comparing the number of persons who are employed in your system of labor, with the free white citizens of the United States? When you speak of injustice, it is without foundation. You have had your full share, and more than your share, of the Territories we have acquired from the beginning up to this hour. I am sick and tired of hearing gentlemen stand up here and complain of the injustice done to this institution of the South. There is no foundation for it in our history—none whatever. * * * What do we deny to you that we do not deny to ourselves? What single right have I in New Mexico that you have not? You

say this law excludes your social institution. So it excludes our banking institutions and our manufacturing corporations. Your social institution is a kind of close corporation, existing under the laws of your States, not existing by the common law of the country. We deny you no right which we do not deny ourselves. * * * If we acquire Territory, you are asking too much when you ask us to convert it to Slave Territory. It is impossible that we can have peace upon any such doctrine as that. You must allow the Free Territories to remain free. We will not interfere with your institution where it exists, Sir, that is peace. I repeat, that non-interference by the General Government or by the Free State men, with Slavery in the States, and non-interference by the General Government or by the Slaveholders, against freedom in the Territories, is peace.

Mr. Doolittle was frequently interrupted by Mr. Benjamin of Louisiana, Wigfall of Texas, and Brown of Mississippi—all of whose inquiries he answered with decision and candor.

Mr. Brown made a brief reply, declaring that Northern Senators would overlook the main point at issue. We claim that there is property in slaves, and they deny it. Until we can settle on some basis this question, it is idle to talk of peace. He claimed that the doctrine of non-recognition of property in slaves was a new doctrine. He said the South had \$400,000,000 in this kind of property. Is it to be supposed that the South would consent to live under a Government outlawing this kind of property? Can millions at the South consent to live under a Government as outlaws, only recognized when the Government wants tribute? If the Government continue to outlaw the South, there is only two ways—separate in peace or by force. He said the South could not take less than justice, and asked no more. They recognized the right of the Government to protect the property of the North, but the North would not recognize the right of protection to the property of the South. If they persisted in the idea that the Government would not recognize property in slaves, and protect it, then, standing in the high presence of and before Almighty God, he declared the Union could not last ninety days.

This day's proceedings did not bring the discordant elements into closer harmony. The spirit of Mr. Doolittle's speech was emi-

nently kind and candid; and, if it failed to make any impression on the points at issue, its circulation among the people served to strengthen the confident and determined spirit of the vast mass of Northern people. It unquestionably had the endorsement of four-fifths of the voters in the North-western States.

No further proceedings of this week's (the 4th) session particularly related to the "question of questions." It was understood that Mr. Benjamin, of Louisiana, would address the Senate on Monday, January 1st. All looked forward with interest to that speech, as Mr. B. would unquestionably define the course which the united Southern States were to pursue.

The Committee of Thirty-three having adjourned December 21st to December 27th, accomplished little during their sessions of Thursday and Friday, December 27th-28th. On Thursday the propositions of Mr. Rust [See page 103,] were urged to a vote, and were rejected by 12 to 15. On Friday the Committee considered Mr. Adams' proposition. It proposed an amendment to the Constitution prohibiting Congress from passing a law interfering with slavery in the States where it exists. It was agreed to by nearly an unanimous vote, the several dissents considering that the Constitution already gives that security.

The Committee of Thirteen sat three hours on Monday, December 24th, when most significant propositions were submitted by Mr. Seward:

"First, No amendment shall be made to the Constitution which will authorize, or give to Congress any power to abolish or interfere, in any State, with the domestic institutions thereof, including that of persons held to service or labor by the laws of such State."

This was carried by the following vote:

"YEAS.—Messrs. Powell, Hunter, Crittenden, Seward, Douglas, Collamer, Wade, Bigler, Rice, Doolittle, and Grimes.

"NAYS.—Messrs. Davis and Toombs.

"Second, The Fugitive Slave Law of 1850 shall be so amended as to secure to the alleged fugitive a trial by jury."

Mr. Douglas proposed to amend by insert-

The Committee of
Thirty-three.

The Committee of
Thirteen.

ing "in the State from which the fugitive escaped." This was carried, and then the whole proposition was voted down by the Democrats, all the Republicans sustaining it.

This was lost as follows :

"YEAS.—Messrs. Grimes, Seward, Wade, Doolittle, Collamer, and Crittenden—6.

"NAYS.—Messrs. Powell, Hunter, Toombs, Douglas, Davis, Bigler, and Rice—7."

The Southern men voted adversely upon the ground that, though it was not openly assigned, this proposition would affect their laws imprisoning colored seamen.

It will be seen that the extremists would not sustain the propositions intended to meet the very cases they had specifically charged against the North.

Mr. Toombs' resolutions were then called up, and four of them voted upon, Mr. Douglas refusing to go upon the record. They were then postponed till Wednesday, Mr. Toombs and the ultras resisting any delay, for the transparent object of using the action of the Committee to operate upon the pending elections for the Southern Conventions. Mr. Davis offered the following resolutions, which went over with the others :

"That it shall be declared by amendment of the Constitution that property in Slaves, recognized as such by the local law of any of the States of the Union, shall stand on the same footing in all Consti-

tutional and Federal relations as any other species of property so recognized; and, like other property, shall not be subject to be divested or impaired by the local law of any other State, either in escape thereto, or by the transit or sojourn of the owner therein. And in no case whatever shall such property be subject to be divested or impaired by any legislative act of the United States, or any of the Territories thereof."

On Wednesday the Committee rejected the Toombs and Davis resolutions. Subsequently, Mr. Seward offered the following on behalf of the Republican members :

"Resolved, That under the fourth section of the fourth article of the Constitution, Congress should pass an efficient law for the punishment of all persons engaged in the armed invasion of any State from another by combinations of individuals, and punishing all persons in complicity therewith on trial and conviction in the State and District where their acts of complicity were committed in the Federal Courts."

Mr. Toombs proposed to amend by including "insurrections," and Mr. Douglas, by inserting his sedition law of last session, after which the resolution was voted down.

Mr. Douglas explained that he declined voting on the Toombs and Davis resolutions, on Monday, because he had presented amendments to the Constitution, in due form, covering the same points.

CHAPTER XIX.

INCIDENTS AND RESULTS OF THE EVACUATION OF FORT MOULTRIE.

Major Anderson's
true position.

THE evacuation of Fort Moultrie, by Major Anderson, on the night of Dec.

26th, quite took the country by surprise. His great peril—the steady refusal of the President to allow the dispatch of reinforcements—excited the most painful apprehensions throughout the entire North for his safety. An occasional note like the following, dated December 24th, came from the gallant commander to intensify the feeling in his behalf:—

"When I inform you that my garrison consists of only sixty effective men, and that we are in a very

indifferent work, the walls of which are only about fourteen feet high, and that we have, within one hundred and sixty yards of our walls, sand hills which command our work, and which afford admirable sites for batteries, and the finest covers for sharpshooters, and that beside this, there are numerous houses, some of them within pistol-shot, you will at once see that, if attacked in force, headed by any one but a simpleton, there is scarce a possibility of our being able to hold out long enough to enable our friends to come to our succor.

"Trusting that God will not desert us in our hour of trial, I am sincerely yours.

"ROBERT ANDERSON,

"Major 1st Artillery, &c."

The desertion of this untenable post for the fastness of Fort Sumter, which lay like a vast monster on the bosom of the waters far out in the harbor, was a step certainly never contemplated by the South Carolina authorities nor by the President. Anderson's last instructions from the War Department—as averred by the President in his correspondence with the South Carolina Commissioners—were as follows:

Anderson's last Instructions.

"Verbal instructions to Major Anderson, First Artillery, commanding Fort Moultrie, S. C."

"You are aware of the great anxiety of the Secretary of War that a collision of the troops with the people of this State shall be avoided, and of his studied determination to pursue a course with reference to the military force and forts of this harbor, which shall guard against such a collision. He has, therefore, carefully abstained from increasing the force at this point, or taking any measures which might add to the present excited state of the public mind, or which would throw any doubt on the confidence he feels that South Carolina will not attempt by violence to obtain possession of the public works, or interfere with their occupancy.

"But as the counsel and acts of rash and impulsive persons may possibly disappoint these expectations of the Government, he deems it proper that you should be prepared with instructions to meet so unhappy a contingency. He has, therefore, directed me, verbally, to give you such instructions.

"You are carefully to avoid every act which would needlessly tend to provoke aggression, and for that reason you are not, without necessity, to take up any position which could be construed into the assumption of a hostile attitude; but *you are to hold possession of the forts in the harbor, and if attacked, you are to defend yourself to the last extremity.* The smallness of your force will not permit you, perhaps, to occupy more than one of the three forts, but an attack on, or attempt to take possession of either of them, will be regarded as an act of hostility, and you may then put your command into either of them which you may deem most proper to increase its power of resistance. *You are also authorized to take similar steps whenever you have tangible evidence of a design to proceed to a hostile act.*

"D. P. BUTLER,

"Assistant Adjutant-General.

"FORT MOULTRIE, S. C., Dec. 11, 1860."

"This is in conformity to my instructions to Major Buell.

JOHN B. FLOYD,

"Secretary of War."

In the mutterings of an excited populace—in the gathering of soldiery—in the resolution of inquiry [see page 112], Major Anderson detected the evidence of an early occupation of Fort Sumter, if not of an actual assault upon Fort Moultrie. If Sumter were occupied by an enemy, Moultrie would not be tenable for five hours. It was, in fact, the key to the harbor, which, if properly garrisoned, would defy the assault of any force for months. Noting carefully the daily, almost hourly, gathering strength of the revolutionists; seeing, upon all sides, unconcealed preparations for large military movements; looking wistfully, but in vain, for succor from reinforcements, it would have been a base betrayal of trust for him to have remained in Moultrie when Sumter offered him the shelter of its kindly walls.

A correspondent from Washington, under date of December 29th, said:

The Occupation a Military Necessity.

"Major Anderson had command of all the forts of Charleston. He held and occupied them at his discretion. Before he went to his command last Autumn he was here, and was depressed at the position he felt he was about to occupy. But his views of duty were wholly those of a soldier. His business was to defend his position, and the fact that he intended to do it was what depressed him. He felt the delicacy of his situation, and he knew the weakness of his command. He found himself at Fort Moultrie, threatened with an attack. He besought the Executive for more troops. General Scott, over and over again, urged that they be sent. The President refused. Major Anderson went on strengthening his position while, at the same time, he urged forward the completion of Fort Sumter, the mounting of its heavy ordnance, &c. This was done as promptly as possible by Captain Foster of the Engineers. When the engineering labors of Captain Foster were completed, he reported the fact to Major Anderson. Without any special orders or suggestions from the President, the Secretary of War or the Commander-in-chief, Major Anderson, looking upon his position from an exclusively military point of view, seeing the weakness of Fort Moultrie and the strength of Fort Sumter, did precisely that

thing which, as a military man, he was compelled to do, and which he could not avoid doing without inflicting a stain upon his military reputation. He left the weaker for the stronger position. As a military act its propriety admits of not the slightest question among military men. As a political question, or an act of policy, in reference to the difficulties between South Carolina and the United States, Major Anderson had nothing to do with either, and acted with no reference to either. He simply discharged his duty as a wise and gallant soldier."

This statement presents a correct view of the circumstances, and justly gives to the commander the entire credit of the movement, so applauded by friends, so execrated by foes. If merely a military act it nevertheless was potent with political results. The little vessels which, in their night duty between Moultrie and Sumter, bore to the fastness the men and munitions that were to hold it for their country against conspirators, held the fate of a Republic on their slender decks; and the soldier who ordered the transfer became an instrument in the hand of destiny, of leading the Crusade against the Goths who sought to sack the citadel of the Republic, and scatter its glories to the four winds of Heaven. He proved a worthy leader.

Particulars of the
Evacuation.

When informed by Capt.
Foster of the readiness of
Sumter for occupancy, the

Major secured three vessels as transports. It was given out that the service required was to remove the families, furniture, &c., of the garrison to a place of safety at Fort Johnson. Besides the vessels, several row-boats were brought into requisition, to be manned by the soldiers. At an early hour Wednesday (Dec. 26th), the order was given for the evacuation. Not a soldier of the garrison knew the destination, but all were zealous for duty. The vessels were rapidly loaded from the landing-place with all the personal effects of the officers and men, with munitions, provisions, and with the women and children of the post. They then stood out toward Fort Johnson, on James Island, but brought up at Sumter, where, by the aid of the workmen in the fort, the vessels were

rapidly relieved of their heavy cargoes. The small-boats pulled away after everything needful, which it was possible to transport, had been recovered. By daylight the entire force was within the walls of the great water fortress, excepting Capt. Foster and eight men, left to dismantle the big guns bearing on Sumter, by burning their carriages. This duty Capt. Foster proceeded to perform. At an early hour, Thursday morning, the smoke from the burning carriages gave the Charlestonians their first intimation of an extraordinary occurrence. The alarm immediately spread, and the people thronged the wharves and battery looking out upon the harbor. The military were ordered under arms. Everything betokened a crisis in the affairs of the "sovereign" State. It was at first supposed that a reinforcement had arrived—then it was reported that the garrison had evacuated the harbor, after destroying the fort. Some laborers, however, arrived at the wharves, direct from Sullivan's Island, and communicated the truth to the thoroughly exasperated people and the anxious authorities.

The Convention immediately came together, in secret session, scarcely waiting for the formality of a breakfast. It gave orders for the military disposition necessary in a moment of danger. Governor Pickens was out on duty, gathering the masses of men into soldierly consistency. The battery was filled with troops, ready for any service. When news arrived of the course pursued by Anderson, Governor Pickens sent off a note to inquire by what authority the evacuation was made, and what was the object of the movement. Anderson replied, stating that it was a military step for which he alone was responsible—that it was an act of defence only. While these messages were on their way, Captain Foster appeared in the streets of Charleston to repeat the facts of the case to all inquirers. Intense indignation was expressed at the *coup de main*, but no violence was offered to the officer. Having imparted the information as authorized by Major Anderson, he returned to Fort Moultrie to retain its possession and await the action of the authorities. It was thus retained to throw upon the State the responsibility of its seizure from a United States garrison.

Condition of Moultrie
after the act.

The Charleston *Courier's*
special reporter, visiting
the partially evacuated fort

to observe its condition, gave an interesting
statement of his observations. He wrote:—

“In order to ascertain truthful statements of the actual damage done to the forts, of the causes of the movement, and of the state of affairs generally, reporters were despatched to the scene during the forenoon. On the way across the harbor, the hoisting of the American flag from the staff of Fort Sumter, at precisely 12 o'clock, gave certain indication that the stronghold was occupied by the troops of the United States. On a nearer approach the fortress was discovered to be occupied, the guns appeared to be mounted, and sentinels were discovered on duty, and the place to give every sign of occupancy and military discipline. The grim fortress frowned defiance on every side; the busy notes of preparation resounded through its unforbidding recesses, and everything seemed to indicate the utmost alacrity in the work on hand.

“Turning towards Fort Moultrie, a dense cloud of smoke was seen to pour from the end facing the sea. The flagstaff was down, and the whole place had an air of desolation and abandonment quite the reverse of its busy look one week ago, when scores of laborers were engaged in adding to its strength all the works skill and experience could suggest.

“In the immediate vicinity of the rear or landside entrance, however, greater activity was noticeable. At the time of our visit, a large force of hands had been summoned to deliver up their implements for transportation to Fort Sumter. Around on every side were the evidences of labor in the fortification of the work. In many places, a portion of the defences were strengthened by every appliance that art could suggest or ingenuity devise; while, in others, the uncompleted works gave evidences of the utmost confusion. On all hands the process of removing goods, furniture, and munitions was yet going on. The heavy guns upon the ramparts of the fort were thrown down from their carriages and spiked. Every ounce of powder and every cartridge had been removed from the magazines; and, in fact, everything like

small arms, clothing, provisions, accoutrements, and other munitions of war had been removed off and deposited — nothing but heavy balls and useless cannon remained.

“The entire place was, to all appearances, littered up with the odds, ends, and fragments of war's desolation. Confusion could not have been more complete had the late occupants retired in the face of a besieging foe. Fragments of gun carriages, &c., broken to pieces, bestrewed the ramparts. Sandbags and barrels filled with earth, crowned the walls, and were firmly imbedded in their bombproof surface, as an additional safeguard — and, notwithstanding the heterogeneous scattering of materials and implements, the walls of the fort evinced a vague degree of energy in preparing for an attack. A ditch some fifteen feet wide and about the same in depth surrounds the entire wall on three sides. On the south side, or front, a glacis has been commenced and prosecuted nearly to completion, with a rampart of sandbags, barrels, &c.

“On one side of the fort a palisade of Palmetto logs is extended around the ramparts as a complete defense against an escalating party. New embrasures have been cut in the walls so as to command the faces of the bastion and ditch. These new defenses are all incomplete, and are evidence of the haste with which they were erected. Considering the inferior force, in point of numbers, under his command, Major Anderson had paid particular attention to strengthening only a small part of the fort.

“A greater portion of the labor expended was spent upon the citadel or centre of the west point of the position. This he had caused to be strengthened in every way; loop-holes were cut and everything was so arranged that in case a well-concerted attack was made, he would have retired from the outer bastions to the citadel, and afterwards blow up the other portions of the fort. For this purpose mines had already been sprung, and trains had been laid ready for the application of the match. The barrack-rooms and every other part of the fort that was indefensible would have gone at a touch.

“On the ramparts of the fort fronting Fort Sumter, were nine eight-inch columbiads,

mounted on wooden carriages. As soon as the evacuation of the fort was complete, the carriages of these guns were fired, and at the time of visiting the fort yesterday, were nearly consumed, and the guns thereby dismounted. These guns, as well as those constituting the entire armament of the fortress, were spiked before it was abandoned. This is the only damage done the fortification, further than cutting down the flagstaff, and the breaking up of ammunition wagons to form ramparts on the walls of the fort."

Active Preparations
for Resistance.

This movement of the commander was construed by the Convention as a threat of coercion, and every means were taken to prepare for resistance. A communication was dispatched to the Commissioners at Washington, authorizing them to demand of the President the unconditional evacuation of the forts in the harbor in event of his refusal to order Anderson back to Moultrie, and thus restore the *status ante quo bellum*. The telegraph offices were placed under State control. The post-office was considered to be under surveillance. The custom-house already had become part of the machinery of State. Orders were issued, during the day, for the occupation of Castle Pinckney and Fort Moultrie by the State troops. The arsenal, already in possession of State troops under Major Humphreys, gave freely of its plentiful stores to equip the troops, and to furnish munitions and artillery as they were required. Mr. Floyd had, during his four years' administration, succeeded in placing ten years' ordinary supplies in that arsenal, and thus had, indeed, befriended "the cause."

Seizures by the State
Troops.

During the afternoon of Thursday (December 27th), the two forts were occupied. Castle Pinckney was taken by Colonel J. J. Pettigrew, with a force of two hundred men. That fort had not a soul in it, and was so barricaded that scaling ladders had to be used to secure an entrance. The guns were found spiked, the ammunition and stores secured, and the flagstaff down. When it had been stripped no one knew. Lieutenant-Colonel De Saussure, with two hundred men,

took possession of Moultrie. Captain Foster, seeing the approach of the troops, retired up the beach to a small boat with his eight men, and was suffered to pull over to Sumter. The work of restoration immediately commenced. Anderson could have shelled the fort, had he dared to assume the offensive; but, as his orders were imperative, to stand only on the defensive, he soon had to see one thousand troops and Negroes swarming on Sullivan's and Morris' islands, throwing up fortifications and mounting guns for his own destruction. Had he been empowered to forbid this hostile work, the shot and shell of his tremendous Columbiads would have rendered it simply impossible for the revolutionists to erect their batteries. One of Mr. Buchanan's most unfortunate mistakes was to resist reinforcements of the forts in the harbor, when they could have been thrown in early in November. His next great error was to hamper Anderson with orders which forbade him to assume the responsibility of destroying fortifications expressly designed for the subjugation of the besieged garrison. The patriotism and courage afterwards introduced into the Cabinet, in the persons of Judge Holt, Judge Black and General Dix, gave the country good cause to regret their introduction at so late an hour.

Honor to
Major Anderson.

The movement into Sumter was received with remarkable unanimity of approval in all sections of the country, save in the disaffected States. Even there many were found who saw in the act the attitude best calculated to force matters to a speedy settlement. It would seem to prove that, if it had "precipitated" matters politically, it had also *precipitated* the unsettled patriotism of the people to glisten like a ruby on the "Ethiopian breast" of the rising storm. The press, the pulpit, the platform, the poets—all chanted pæans for the loyal Anderson—more loyal and true, indeed, than his superiors. His name became the theme of discourse, for many a day, in public and private, throughout all the States still faithful to the Constitution and the Laws. Such spontaneous, heartfelt congratulation never before was offered to a servant of the United States.

HISTORICAL SUMMARY OF EVENTS,—No. 2.

FROM DECEMBER 27th, 1860, TO MARCH 4th, 1861.

Dec. 27.—Occupation of Fort Sumter, in Charleston Harbor, by Major Anderson. Fort Moultrie is dismantled.

—The United States Revenue Cutter *Aiken* betrayed by its commander, Capt. N. L. Coste, into the hands of the South Carolina authorities.

Dec. 28.—South Carolina authorities seize the Custom-house and Post-office. Castle Pinckney and Fort Moultrie occupied by State troops. The Arsenal at Charleston is held by orders of Governor Pickens. Large numbers of troops pouring into Charleston. One body of eighty men received from Georgia. The Palmetto flag flying from the forts, public buildings, &c. The Stars and Stripes only flying from Fort Sumter. A dispatch to a member of the Cabinet, from Charleston, says troops are pouring in from all directions.

—Mr. Holt, the Postmaster-General, sends orders to the Sub-treasury at Charleston, to remit all the balance, \$35,000, on the Post-office account in his possession, immediately, to the credit of the department. If this order is not complied with at once, he will demand of the Federal Government to enforce orders. He is also determined, as before suggested, to suppress mail matter to and from South Carolina, if the mails are interfered with in that State.

—The Cabinet broke up to-night, after five hours session, without coming to any conclusion relative to the disposition of troops at Charleston. The impression prevailed that a conflict was inevitable. Secretary Toucey and Mr. Holt, Postmaster-General, urged defense; the others, a further evacuation, if necessary.

Dec. 29.—John B. Floyd resigns his appointment in Mr. Buchanan's Cabinet as Secretary of War. In his letters of resignation he charges the President with a purpose to inaugurate civil war by refusing to withdraw Anderson from Charleston harbor entirely. "I cannot consent to be the agent of such a calamity," (civil war,) and therefore tenders his resignation. It was accepted by the President, Dec. 31st, in a very curt and summary note.

—The South Carolina Commissioners make known their mission, by official communication to the President.

Dec. 30.—The President replies at length to the South Carolina Commissioners, declining to receive them.

Dec. 31.—Reports from Charleston state that strong fortifications are going up in and around the harbor, to resist any reinforcement of Fort Sumter.

—It is announced from Washington that the report which prevailed throughout the city this afternoon

that Lieutenant-General Scott had been appointed Secretary of War, *ad interim*, produced a thrilling effect and occasioned much indignation among the Secessionists, who are fully aware that General Scott is in favor of extensive military preparations. Postmaster-General Holt is in temporary charge of the War Department, and to-night is attending to the duties there, in company with the Chief Clerk.

Dec. 31.—Senator Benjamin, of Louisiana, made a powerful secession speech in the United States Senate.

Jan. 1, 1861.—The New York Journals of to-day all regard the capital as in danger of seizure. One says: "It is now well known that military companies have been organized and drilled for months past in Maryland and Virginia—some of them under the eye of an officer of the regular army—and that the distinct object of their organization is to aid in the seizure of Washington city in the interest of the disunionists, or the prevention by force of Lincoln's inauguration. Some of the less prudent of their leaders boast in private circles that they have five thousand well-armed and organized men ready to strike the blow instantly upon the concerted signal being given."

Jan. 2.—In view of the dangers which threaten the city of Washington, General Scott has taken steps to place the militia of the district under arms. Regulars are also being ordered to the Navy Yard and every precaution is to be taken to avoid a surprise, and to repel any attempt at revolutionary proceedings.

—A dispatch from Georgia states that the election returns indicate that the State has voted, by a large majority, for immediate secession. The State troops are also reported to be in possession of the United States arsenal in Savannah, as well as of Forts Pulaski and Jackson.

—Gov. Ellis, of North Carolina, dispatched troops to-day to seize upon Fort Macon at Beaufort, the forts at Wilmington, and the United States arsenal at Fayetteville. It was done to keep the property from seizure by mobs—so Gov. Ellis wrote to the Department of War.

—Private accounts from Charleston state that a thousand negroes are engaged in the erection of fortifications in the harbor, and that the channels leading to Fort Sumter have been obstructed by sunken vessels, and the buoys removed. Also, that Gov. Pickens has received the offer of 10,000 volunteers from without the State, who hold themselves in readiness to march at a minute's warning.

—Senator Baker, of Oregon, concluded his response to Mr. Benjamin's speech, in the United States Senate. It was pronounced a "masterly effort."

Jan. 2.—Mr. Baker was followed by Mr. Douglas, who charged upon the Republican party the present troubles. He declared for compromise, and for giving the South any necessary Constitutional guarantees.

Jan. 3.—The Florida Convention met at Tallahassee.

—The South Carolina Commissioners return home, having failed of recognition by the Federal government. They wrote insulting letters to the President, prior to their departure.

—The War Department rescinded the order for the shipment of guns from Alleghany Arsenal to the unfinished forts in the South. This news gave great satisfaction to the loyal people of Pittsburgh.

Jan. 4.—Fast day, by proclamation of the President. It is quite generally observed in the Northern States and in the Border Slave States, but is not regarded in the Gulf States.

—The South Carolina Convention nominated as delegates to the proposed Southern Confederate Congress: Hon. T. J. Wither, L. M. Keitt, W. W. Boyce, James Chesnut, junior, R. B. Rhett, junior, R. W. Barnwell and C. G. Meminger.

—The United States' Arsenal, at Mobile, seized. It contained large quantities of munitions and arms, Fort Morgan, at Mobile, was also seized and garrisoned, by order of Governor Moore.

Jan. 5.—Enrolment of volunteers going on in several Northern cities, to be offered to the President to enforce the laws.

—Great Workingmen's meeting in Cincinnati. Resolutions passed declaring that the Union must be preserved in its integrity by the enforcement of the laws in all parts of the Union by any necessary means. An immense meeting was also held in Philadelphia in honor of Anderson and the Union. Resolutions were passed, demanding the President to enforce the laws. All parties took part in the proceedings.

—A despatch from Washington says:—"The Alabama and Mississippi delegations held a conference last night, and afterward telegraphed to the Conventions of their respective States advising them to secede immediately, saying there is no prospect of a satisfactory adjustment. They resolved to remain there, awaiting the action of their States."

—The Florida Legislature and Convention assembled.

—The steamer *Star of the West* sailed secretly from New York with supplies and reinforcements for Fort Sumter. Governor Hicks, of Maryland, publishes his address to the people, stating, at length, his reasons for not convening the Legislature. He reiterated strong Union sentiments.

—It is rumored in Washington that the President is firm in carrying forward his new policy of resistance to further encroachments, so far as lies in his power. Companies of Federal troops are being quietly concentrated in and around the Capital, for its defense.

Jan. 7.—Alabama Convention meets.

—Mississippi Convention meets.

—Tennessee Legislature meets.

—Special Session of the Virginia Legislature

meets. Ex-Secretary Floyd and United States Senator Mason are both in Richmond, and both urge a policy looking to co-operation with South Carolina.

—Toombs, of Georgia, made a very violent and treasonable speech in the United States Senate.

Jan. 8.—Salutes very generally fired throughout the Northern cities in honor of the battle of New Orleans, Major Anderson and the Union.

Jan. 8.—The South Carolina Commissioners address the Alabama State Convention.

—The South Carolina and Alabama Commissioners address the Florida Convention.

—The South Carolina and Alabama Commissioners invited to seats in the Mississippi Convention.

—Secretary Thompson resigns his seat in the Cabinet, urging, as the cause, that, against positive promises to the contrary, troops had been sent to Major Anderson.

—Agents for the purchase of arms for the Southern States are busy in New York and Philadelphia. Large orders are being filled by Colonel Colt, for pistols and rifles for the South.

—The President sends a special message to Congress.

Jan. 9.—A dispatch from Washington states that the Cabinet is in session, deliberating upon the propriety of arresting Senators Toombs and Wigfall, for high treason.

—The steamer *Star of the West*, with supplies, and 250 troops for Fort Sumter, is fired into from Fort Moultrie and a battery on Morris' Island. She is struck by a shot and puts to sea again, without communicating with the forts.

—The Virginia House of Delegates, of Virginia, adopts the Convention Bill, and names February 4th, as the day of election of delegates.

—Fort McHenry, at Baltimore, is occupied by a company of United States troops.

—The Mississippi Convention passes the ordinance of secession by a vote of 84 to 15.

Jan. 10.—The Florida Convention passes the ordinance of secession by a vote of 62 to 7.

Jan. 11.—The Alabama Convention passes the ordinance of secession by a vote of 61 to 30.

—Mr. Thomas, Secretary of the Treasury, resigns.

—The Arsenal at Baton-Rouge, Louisiana, seized by the State authorities. Forts Jackson and St. Philip, at the mouth of the Mississippi river, and Fort Pickens, at the Lake Ponchartrain entrance, seized by State troops, by order of Governor Moore.

—A detachment of United States troops occupied the Post-office, Custom-house and Sub-Treasury at St. Louis, as a precaution against their seizure by the mob.

—General John A. Dix, of New York, is appointed Secretary of the Treasury, in place of Mr. Thomas, of Maryland, resigned.

—Lieutenant Talbot, as bearer of despatches from Major Anderson, arrives at Washington. He reports the Major able to hold out for about two months,

with the supplies of food on hand. He has a passport from Governor Pickens. A long Cabinet meeting followed.

—The Florida Ordinance of Secession passed.

—Resolutions pass the New York Legislature, tendering the President of the United States aid in support of the Constitution and the Union.

Jan. 12.—Mr. Seward speaks in the Senate. His position as the prospective Secretary of State in the Lincoln Cabinet, gave his words the weight of authority. His speech is pronounced to be "eminently conciliatory."

—A despatch from Springfield, Illinois, says:—"The conviction now prevails, in Presidential circles, that the day of compromise is past, and that nothing but force will bring rebellious States back into the Union."

—Lieutenant Hall, on the part of Major Anderson, and Colonel Hayne, as bearer of the ultimatum of the South Carolina Government, leave for Washington.

Jan. 13.—The Virginia Legislature resolves to call a State Convention on the 13th of February.

—The Navy Yard and Fort Barrancas, at Pensacola, surrendered to the Florida and Alabama troops, by Commander Armstrong. Fort Pickens, under command of Lieutenant Slemmer, bids defiance to Armstrong's orders, and will hold out to the last. Lieutenant Slemmer withdrew from Fort McRae to occupy the stronger post of Pickens.

Jan. 14.—An act passes the South Carolina Legislature declaring that "any attempt by the Federal Government to reinforce Fort Sumter will be regarded as an act of open hostility and a declaration of war; also approving of the act and promptness of the military in firing on the Star of the West, and promising to support the Governor in all measures of defense."

Jan. 16.—The Crittenden Resolutions lost in the United States Senate by the adoption of Mr. Clark's substitute to the effect that the Constitution is good enough—only wants to be obeyed; that secession is a dangerous remedy, against which all the energies of government should be directed.

—The Majority Reports of the Committees of Thirty-three and Thirteen are published.

—The Arkansas Legislature unanimously passes a bill submitting the question of calling a Convention to a vote of the people, February 28th.

—The State Convention bill passes the Missouri Legislature. The election of delegates to be held February 18th—the Convention to assemble February 28th. The voters for delegates are to say "yes" or "no" on their ballots to decide whether or not the ordinance of secession if passed shall be submitted to the people for ratification.

Major-General Sandford tenders to the Governor and through him to General Scott the service of the first Division of the New York State militia, numbering seven thousand thoroughly armed and disciplined men, "for any service which may be required of them."

—Col. Hayne, as "agent" of Governor Pickens, demands the surrender of Fort Sumter as a preliminary

for a settlement. He is not received by the President in any official capacity, but is requested to state to the War Department, in writing, his propositions.

Jan. 17.—Military Committee of South Carolina Legislature report that the exigencies of the times demand that South Carolina be placed on a war footing. The plan for submarine telegraph lines to all the fortifications was adopted.

—In the Virginia Legislature the Committee on Federal Relations report the Crittenden resolutions as a proper basis of adjustment: that Commissioners be appointed to South Carolina and to Washington, requesting non-action of a belligerent character until Virginia can act, &c., &c., for compromise.

Jan. 18.—In the Massachusetts Legislature a series of resolutions was passed by a unanimous vote, tending to the President of the United States such aid in men and money as he may require, to maintain the authority of the General Government. The preamble to the resolution declares that the State of South Carolina, in seizing the fortifications of the Federal Government, the Post-office, Custom-house, moneys, arms, munitions of war, and by firing upon a vessel in the service of the United States, had committed an act of war.

—The Virginia Legislature passes a bill appropriating \$1,000,000 for the defense of the State, and a bill authorizing the issue of treasury notes to that amount, bearing six per cent. interest.

—The Georgia State Convention, in secret session, adopted resolutions, first, declaring the right and duty of Georgia to secede; and, second, appointing a Committee of Seventeen to report an Ordinance of Secession, by a vote of yeas 165, nays 130.

Jan. 19.—Secession Ordinance passed by the Georgia State Convention. Yeas 208, nays 89.

—The Committee on the Confederacy of the Mississippi Legislature has reported resolutions to provide for a Southern Confederacy, and to establish a provisional Government for seceding States and States hereafter seceding. The proposed Southern Convention will meet at Montgomery on the 4th of February.

—A despatch from Washington says:—"Despatches from high sources in Charleston show that the authorities there feel disappointed that Lieutenant Talbot, who reached there to-day, did not bring back evidences that the United States Government was ready to surrender to their demands at once. A gloom hangs over the city."

—The Tennessee Legislature calls a State Convention to assemble February 25th. Election of Delegates to be held February 9th. The Ordinance of Secession, if passed, is to be submitted to the people for ratification or rejection.

Jan. 20.—The Alabama Delegation in Congress withdrew, having received official notice of the secession of their State.

Jan. 21.—A dispatch from Pensacola says "Fort McRae is being occupied and the guns manned by the allied forces of Florida, Alabama, and Mississippi." One thousand of these "allied" troops are besieging Fort Pickens, and seven hundred more are reported to be on the way. The work of per-

fecting the defences of Fort Pickens from the land and Pensacola side is being pushed forward with great vigor by Lieut. Slemmer who, it would appear, is determined to hold out to the last.

Jan. 23.—The Georgia delegation withdraws from Congress.

—Hon. Emerson Etheridge, of Tennessee, makes a speech in the United States House of Representatives, declaring secession to be rebellion, which the government must suppress.

Jan. 24.—The Arsenal at Augusta, Georgia, seized by the State authorities.

Jan. 25.—The Rhode Island State Legislature repeals its Personal Liberty law.

—The Louisiana State Convention passes an ordinance of secession. Yeas, 113; nays, 17.

Jan. 26.—Alabama State Convention adjourned to March 4th.

Jan. 28.—Texas State Convention meets at Austin.

Jan. 30.—The Legislature of North Carolina submits the question of holding a Convention to a vote of the people, February 28th.

—Ex Secretary Floyd indicted by the Grand Jury of Washington on two counts; 1st, for malfeasance; 2d, for conspiracy with Bailey and Russell, to defraud the government.

Jan. 30.—The Revenue Cutters *Cass* and *McClelland* betrayed by their commanders—the last named by Capt. Breshwood into the hands of the Louisiana State authorities, the first by Capt. J. J. Morrison, into the hands of the Alabama authorities. Secretary Dix's Special agent had authority to shoot down the first man who attempted to haul down the American flag, but he did not succeed in gaining possession of either vessel.

Feb. 1.—The United States Mint and Custom house in New Orleans seized by the State authorities.

—Texas Convention passes ordinance of Secession—yeas 166, nays 7.

Feb. 4.—The Virginia Conference, or, as it is called, the "Peace Convention," assembles in Washington. It is composed of five delegates from each State, appointed by the Governors, to consider some plan of adjustment. Most of the Northern, and all of the Border States, are represented.

—The Congress, or Conference, of Southern seceded States, meets at Montgomery.

Feb. 5.—Ex-President Tyler, of Virginia, elected President of the Peace Convention.

Feb. 8.—Colonel Hayne departs for Charleston, unable to obtain any recognition from the Federal Government.

Feb. 9.—A Provisional Constitution is adopted by the Southern Congress at Montgomery, as a basis for a Provisional Government. The United States Constitution is used, with slight variation. Jefferson Davis, of Mississippi, elected President, and Alexander H. Stephens, of Georgia, Vice-President of the "Confederate States of North America."

Feb. 11.—Mr. Lincoln, President-elect, starts for Washington, via Indianapolis, Cincinnati, Columbus, Pittsburg, Cleveland, Buffalo, Albany, New York City, Trenton, Philadelphia, Harrisburg and Baltimore. He was the guest of all these cities, by action of the authorities and State Legislatures. His journey was by special trains, and was one grand ovation at all stopping points.

Feb. 12.—Reports from Tennessee indicate that the State has voted, by over 20,000 majority, against a State Convention.

Feb. 17.—A dispatch from Washington says but little hope is entertained of any beneficial result from the Peace Convention. The Northern Commissioners are persistent in their refusal to agree to the Southern demands.

Feb. 17.—A dispatch from Montgomery, Ala., says the trip of Mr. Davis, President-elect of the Southern Confederacy, from Jackson to Montgomery was one continued oration. He made twenty-five speeches on the route, to the gathered crowds. Arrived at Montgomery and was welcomed by the military and a vast concourse of citizens.

Feb. 18.—Jefferson Davis inaugurated, with imposing ceremonies, President of the Confederate States of America.

Feb. 19.—Mr. Lincoln receives a magnificent reception in New York city. Two hundred thousand people turn out to swell the throng on the streets. He held a Levee at the City Hall February 20th.

Feb. 22.—Mr. Lincoln leaves Harrisburg abruptly and secretly, by night, for Washington—having evidences of a plot in Baltimore to create a riot upon his appearance on the 23d, as set down in the published programme of his progress. Arrives at the Capitol early on the morning of the 23d.

Feb. 25.—It is ascertained that Brigadier-Gen. Twiggs, commanding in the Department of Texas, has betrayed his command and turned over all the posts, United States property in arms, munitions, horses, and equipments, &c., to the Texan State authorities.

Feb. 26—March 3.—Extensive preparations for the inauguration of Mr. Lincoln. The Military, under command of Generals Scott and Wool, is to be distributed throughout the city. Mr. Buchanan lends his influence to a happy and peaceful introduction of his successor to office.

DIVISION II.

CHAPTER I.

SECRET REVOLUTIONARY SOCIETIES IN THE SOUTHERN STATES. POSITION OF THE CHURCHES.

ORGANIZATIONS known as "Minute Men," "Defense Committees," "Brotherhood" and "Vigilance" and "Southern Rights" Associations, &c., &c., are occasionally referred to in the news of the day; but the public generally is not aware of the extent of these organizations, nor of the very important part they have played in carrying out the scheme of secession. Their active formation commenced immediately after the Presidential election, though they had existed for some time previous. That of the

The Minute Men.

"Minute Men," in particular, was instrumental in

disseminating extreme views for many months prior to the election. This body was, avowedly, organized for home protection against insurrections, but, in reality, had for its object the arrest and punishment of white "emissaries" who might be regarded as "suspicious characters"—which meant, of any person obnoxious to any Southern man. Without ceremony or law, the "Men" proceeded to their work, and the occasional accounts, which *would* find their way to the press, of outrages and lynch law perpetrated on white persons of Northern birth, proved that they were the self-constituted guardians of Southern society whose bare suspicions it was dangerous to incur. Something of their self-arrogated powers and duties may be inferred from the news given on pages 47-48, regulating the operations of a "Vigilance Association," from which we may report:

"The patrol have power to arrest all suspicious white persons, and bring them before the Executive Committee *for trial*."

"The Association is pledged to put down all negro preachings, prayer-meetings, and all congregations of negroes that *may be considered unlawful by the patrol*."

That the officers "have *full power* to decide all cases that may be brought before them, and their decisions *shall be final and conclusive*."

"That the patrol companies have the power to correct and punish all slaves, free negroes, mulattoes and mastizoes as *they may deem proper*."

It will scarcely be credited by foreigners that such an organization could exist in any other than a disorganized state of society, where courts were powerless, and where violence was the rule; but, that they did exist throughout all the Gulf States and South Carolina during the fall and winter of 1860-1861, is attested by the almost innumerable and authenticated accounts of atrocities and outrages perpetrated on Northern men and women, as well as on free negroes. If the story ever is told, of the men being hung, tarred and feathered, whipped, driven off, it will excite a feeling of incredulity.

When Mr. Iverson stated in the Senate "that a Senator from Texas had told him that *a great many of these free debaters were hanging from the trees of that country*," he simply stated a well-accredited fact; and, that the speaker was not candid enough to confess, from his own personal knowledge, that, in Georgia, Alabama, and Mississippi, the same sight might be witnessed, proves him to have been capable of a feeling of shame.

Men hanging from
Trees.

An Authenticated
Case.

We have personal knowledge of a well-to-do small planter in the vicinity of Eufaula, Alabama, who, after actually having had to assist in the hanging of six men—five mechanics and one preacher, all of Northern birth—was compelled to flee from the vengeance of the very committee on which he served, and escaped to the North, leaving all his possessions behind him. He was a Connecticut man, but had resided in the South for some years; and, having acquired real estate, became the owner of several slaves. When the excitement ran high, during October, he was "spotted," and joined the Minute Men to avert suspicion and escape outrage. But, the Post-office being carefully watched, and all correspondence to any "suspected" person being read by the Postmaster or a Committee appointed for the service, he was "holed." A letter from a female relative in Connecticut, reminding him of his promise to free his negroes, abjure the curse of slavery and come home, at once, in the Committee's eyes, convicted him, and only by the aid of a faithful negro woman did he escape. She flew from a neighboring plantation, through the woods, at night, to tell him that arrangements were making before his friend's residence for his execution, and that the Minute Men would be upon him at midnight. To be assured of the entire truth of the story, he returned with the woman to find the rope pendant from a sycamore bough before his friend's porch. On the porch he recognized several of his old confederates, taking refreshments prior to their night's work. Watching his opportunity, he had the nerve to steal up to the tree and to cut the noose from the rope, then passing to the road fence where the horses of the "Committee" were secured, he appropriated the finest one and struck out for the Georgia line. At Macon he sold the horse for money enough to bear him to Connecticut, and, passing through New York, committed his story to us, exhibiting the noose as the only trophy of his Southern services.

Having had previous relations with him, we knew of his perfect integrity, and, assured of the "representative" nature of his experience, have repeated it. He stated that he

was certain one hundred men had been hung in his section of the State, and in Georgia adjoining, during six weeks prior to his escape in December. The story of that hundred men never will be chronicled. This single incident will illustrate one phase of the rebellion which has received only slight attention, but which, nevertheless, has an important relation to it; for the "committees" that committed these atrocities ere long became the inquisition, whose fearful power all Union men were made to feel. As a consequence, Unionists were soon awed not only into silence, but into co-operation as a matter of personal safety.

In fact, these half secret organizations were one of the most powerful instruments of *forcing* action and subduing opposition; and, when the whole truth becomes recorded, we think it will be found that the "Minute Men" and "Vigilance Associations" were the left arm of the entire movement—doing what the right arm (the leaders) were unable to effect. Violence toward suspected persons was one of their prescribed functions. To control elections—to pack conventions—to order and direct public meetings—to dictate resolutions and project schemes of action, eventually became their primary objects. "Precipitation" owed everything to them. Secession found in them its most certain coadjutor.

But another organization had an existence in the Southern States, which had an important influence upon public sentiments, particularly in Louisiana, Kentucky, and Virginia. We refer to the secret society, the "Knights of the Golden Circle." This order came into existence in 1858, following upon and growing out of the "Order of the Lone Star"—a recent society having for its object the seizure and annexation of Cuba and Nicaragua—thus to spread the area of Slave Territory, and to perpetuate Southern predominance in the National Congress. The descent of Lopez on Cuba was the first step of the settled programme. That having failed, the descent of Walker in Nicaragua was the next step. Its failure, and the death of General Quitman, the recognized leader of the filibusters—though Mr. Soule, Mr. Pierce's

The K. G. C.'s.

minister to Spain, was understood to be the acting president of the Order—brought the organization into a weak condition. Out of it sprang the “Knights of the Golden Circle,” whose leader was a *ci-devant* minister, professor, editor, politician, named Geo. W. L. Bickley—a “smart” but unprincipled person, well fitted by temperament and ambition for the direction of perfidious projects.

The design of conquering Mexico, and there to create a powerful Slave empire which should eventually absorb Nicaragua, was the *ostensible* features of the organization; but, beneath that were other designs as rank with treason and wickedness as the brain of its audacious and unprincipled leader could conceive. A revelation made by a member of the Order, through the columns of the *Louisville Journal*, placed the public in possession of as much of the secrets of the organization as members of the lower degree were allowed to know. The substance of that statement, the truth of which is now verified by the acts of the order in Kentucky was as follows:

Every applicant for admission is first sworn to secrecy, under the penalty of death, and then the design of the Order is revealed. If he assents to its propriety, and is an American born and a slaveowner, or can produce proof that he is imbued with Southern sentiments, and is a Protestant, he is admitted as a soldier of the Order, and informed of its signs, passwords and organization. On the recommendation of the chiefs of the Order he is admitted to the second degree; informed that the stores and ammunition for the army are collected at Monterey, and acquainted with the names of the officers to whom he is to look for pay. He is also supposed to be on active service, and the President has, we perceive, summoned all Kentuckian members to attend a rendezvous, where they will be drilled and organized by regular instructors, and whence they are, for the present, to control the Kentucky elections in favor of Southern men. If influential enough, he is next admitted to the third degree, the council of the Order, which, under the presidency of Mr. George Bickley, the future monarch, regulates the affairs of the Order without communication, except

through George Bickley, to the other degrees. He swears in this degree to obtain all the neophytes he can to support his colleagues, the Knights of the Columbian Star, in all efforts for office, to conquer Mexico and “Southernize” its institutions, to drive all free Negroes into Mexico, there to be enslaved, and to reduce the peon population of Mexico to Slavery, dividing them as chattels among members of the Order, and to recognize for the present monarchical institutions, as tending to strong government. Moreover, after the conquest of Mexico, he is to contend for the exclusion of every Roman Catholic from office and from the priesthood, and to support a system of passports, enforced by the penalty of death. He again swears to a scheme of government which, from its utter want of resemblance to any American idea we give entire:—

“13th. The successor to George Bickley must be over thirty years of age, of Southern birth, liberally educated, Knight of the Columbian Star, sound of body and mind, and married, and Protestant. He shall swear to carry out this policy, and to extend Slavery over the whole of Central America, if in his power. He shall try to acquire Cuba and control the Gulf of Mexico. No one else will I sustain. But for such a one, who must be proposed by the Cabinet ministers and elected by all Knights of the Star, or a majority of them, I will sustain here, there, or elsewhere. When the Knights cross the Rio Grande I will do all I can to send in recruits for the army, and if I should ever cease to be an active worker for the Star, I will keep secret what I know of the real character of the organization, and I promise never to confer this degree in any other way than in the way I have here received it, and I will forward to George Bickley, or to the Governor-General of this State, the name and fees of every candidate whom I shall initiate as Governor. In witness, I do voluntarily, here and in these presence, sign my name and address.”

This apparently novel scheme, to the Southern mind, was considered feasi-

Turbulent elements of Society in the south.

ble and sure of consummation. Immense numbers of men in all the Slave States are without possessions of any kind. Arrogant in temper, disinclined to manual labor, selfish from association with their “peculiar institutions,” they are unfitted for the position of poor men. Their one leading, never-forgotten desire, is to become the proprietors of estates,

the owners of slaves. Any scheme which did not promise these would not for a day survive in the Slave States. Hence, all fillibuster leaders gave the promise to their men of land and slaves. Like the horde of adventurers who followed the fortunes of Pizarro and Cortez—the unpropertied whites of the Slave States were eager for any enterprise which gave promise of dominion over soil and men.

This organization grew into large proportions in Kentucky, Arkansas, and Louisiana, during the years 1859–1860. When it became evident that a great political crisis was at hand, its leaders made the conquest of Mexico the ultimate object of the order and the dissolution of the Union its immediate object. Its lodges became headquarters for conspirators against the Constitution, while their last manifestation was to enter the field as an organized military body, thoroughly equipped and already disciplined for the field. Kentucky, in particular, was made to feel the weight of their influence, though they had, eventually, to retire before the loyal spirit of the large mass of property holders and intelligent residents of the State.

Along with the “Minute Men,” and “Vigilance Associations,” the “Knights” must retire to obscurity when the constituted authorities are able to punish all offenders; but, until such time, the lawless and irresponsible horde, who are ever ready for excitement, must, to a greater or less extent, afflict Southern society with their dreadful visitations.

The Churches of the South were not, as a general thing, behind the most revolutionary in sentiment. The long-standing discordance between themselves and their brother Churches of the North, of a like denomination, had made them ripe for revolt. Old School Presbyterians, Baptists, Methodists and Episcopalians entered, at an early moment, into the secession movement, by official action, and contributed greatly to spread the sentiment for disunion and separate State action.

The Baptists. In November the Alabama State Convention of Baptists unanimously passed a declaration, setting forth that the Union had “failed, in important particulars, to answer the purposes for which it was created.”

The declaration closed with the following announcement:—

“While, as yet, no particular mode of relief is before us on which to express an opinion, we are constrained, before separating to our several homes, to declare to our brethren and fellow-citizens, before mankind and before our God, that we hold ourselves subject to the call of proper authority in defense of the sovereignty and independence of the State of Alabama, and of her right, as a sovereignty, to withdraw from this Union, and to make any arrangement which her people, in constitutional assemblies, may deem best, for securing their rights. And in this declaration we heartily, deliberately, unanimously, and solemnly UNITE.”

The Presbyterian Synod (Old School) of South Carolina, led the opinion of that State. Resolutions were introduced (Nov. 29th) looking to repudiation of the General (Church) Assembly, and the formation of a Southern Assembly. The preamble set forth that the election of Abraham Lincoln had evidenced a spirit of hostility to “our social institutions; and we have reason to believe this sentiment is openly or covertly entertained, in a greater or less degree, by all Ecclesiastical bodies at the North; and Whereas, the act of 1813 (which makes it the duty of all members of the Presbyterian Church to use all efforts for the *Abolition of Slavery*) still remains upon the statute book of the Old School Presbyterian General Assembly, and they have refused to repeal it,” they, therefore, demand a separation, and the organization of a Southern As-

The Old School
Presbyterians.

sembly. These resolutions were disposed of by a reference to a committee of nine, which reported, Dec. 3d. The final clause of the Report, as adopted unanimously, read:—

* * * * * “The Synod has no hesitation, therefore, in expressing the belief that the people of South Carolina are now solemnly called on to imitate their Revolutionary forefathers, and stand up for their rights. We have an humble and abiding confidence, that that God, whose truth we represent in this conflict, will be with us, and exhorting our Churches and people to put their trust in God, and go forward in the solemn path of duty which his Providence opens before them, we, Ministers and Elders of the Presbyterian Church in South Carolina Synod assembled, would give them our benediction, and the assurance that we shall fervently and unceasingly implore for them the care and protection of Almighty God.”

The Methodists, who already had disrupted all relations with their brethren of the North, had, by expurgating this book of Discipline—by scarifying the Works of John Wesley and Whitfield—by a forced division of the property of the Church in the

Book Concerns of New York and Cincinnati, whereby they became possessed of publication offices of their own—long been in a condition of antagonism and rebellion. Having “seceded” from their parent principles and Church, they were fully prepared to secede from the Union.

CHAPTER II.

EXAMINATION OF THE CHARGES PREFERRED BY THE SECESSION LEADERS AGAINST THE NORTH, THE DOMINANT PARTY AND THE PRESIDENT-ELECT.

A FULL understanding of the revolution cannot be had if we should fail

to advert to the features of the dominant party, which gave so great offense to the South, and to the views of Mr. Lincoln, to which all extreme Southern men referred with deprecation. In the speeches and documents thus far quoted in these pages, the points at issue are referred to in generalities. Thus, in the Mobile Declaration of Causes (pages 38, 39,)—in the South Carolina Declaration (page 96 *et seriatim*),—in the speeches of Messrs. Iverson, Clingman, &c., express and unqualified charges are made of an inimical spirit on the part of the North; of the revolutionary character and designs of the dominant party; of the unconstitutional nature of the Personal Liberty laws of Northern States; of the non-execution of the Fugitive Slave law; of the hostility of the President-elect to Slavery, &c.; but, in all instances, these assumptions are so general as to demand their more particular examination, in order to see with what justice the charges preferred are made. Only through a special *exposé* can we get at the facts in the case, and reduce mere statements or impressions to the test of justification or rejection.

1st. *Inimical feelings of the North.* It is a sufficient reply to charges of this nature to point to the large vote polled in the Free States for Southern men in the last election. Thus, the vote cast for the Lincoln ticket in

the Free States was 1,810,430
For the Democratic and Union
tickets in the same States . . . 1,706,339

Minority of the Opposition . . . 104,091
making, really, but one hundred and four thousand popular majority in the entire North against tickets upon which were Southern candidates. Unite this minority opposition to its immense majority in the Slave States, and it will be found that, in the thirty-three States which voted for President, in 1860, the Republican party was greatly *in the minority*, [See page 32.] if all the opposition were united against it. But, of the Republican party, it is repeating an acknowledged fact to say that nine-tenths of its supporters entertained only feelings of kindness toward the South as a section of the Union, and toward its people. Their opposition was designed to be only the legitimate and constitutional exercise of opinion and suffrage. The material relations of the South to the North forbade that there should be any personal or sectional estrangement. An inimical “North” had no existence.

2d. *The revolutionary designs of the dominant party.* The “platforms” of the various parties are regarded as the constitution, or declaration of principles, of that party. The Republican platform stipulates: *First*, That the necessity of the Republican party demands its *peaceful and constitutional* triumph. *Second*, That the principle that all men are created equal and endowed with certain inalienable

rights is essential to the preservation of Republican institutions; and that the Federal Constitution, *the Rights of the States*, and the *Union of the States* must be preserved. *Third*, expresses "abhorrence to all schemes for disunion, come from whatever source they may." *Fourth*, The maintenance inviolate of the rights of the States and "especially the right of each State to order and control its own domestic institutions, according to its own judgment exclusively," and denounces the lawless invasion, by armed force, of the soil of any State or Territory no matter under what pretext. Its *seventh* and *eighth* sections were:

"7. That the new dogma, that the Constitution, of its own force, carries Slavery into any or all of the Territories of the United States, is a dangerous political heresy, at variance with the explicit provisions of that instrument itself, with contemporaneous exposition, and with legislative and judicial precedent; is revolutionary in its tendency, and subversive to the peace and harmony of the country.

"8. That the normal condition of all the Territory of the United States, is that of freedom; that as our Republican fathers, when they had abolished Slavery in all our national Territory, ordained that 'no person should be deprived of life, liberty, or property, without due process of law,' it becomes our duty, by legislation, whenever such legislation is necessary, to maintain this provision of the Constitution against all attempts to violate it; and we deny the authority of Congress, of a territorial legislature, or of any individuals, to give legal existence to Slavery in any Territory of the United States."

The other sections refer to matters not pertinent to the question at issue between the Slave and Free States. It is evident from this that only in the last sections quoted (7th and 8th) are to be found subjects of complaint. The other sections are such as all Democrats and Union men could subscribe to and endorse. The reader must be his own judge as to how far the question involved, and the declarations made in the 7th and 8th articles, are causes for disunion.

3d. *The Unconstitutional Personal Liberty laws*.—It is now known that there were no Personal Liberty laws, in 1860, of an unconstitutional character, in any Northern State. The law of Massachusetts, a few years since, was pronounced unconstitutional by her own legislators, and was so modified as not to be open to the charge. If any such Liberty bills were in contravention of the Constitu-

tion, a summary way was open for getting rid of them by citing the State before the United States Supreme Court. The composition of that Court, for the last forty years, has been such that the South, at least, had nothing to apprehend in its decisions on the Constitutional right of property in slaves. A good authority before us says:—"The Personal Liberty laws merely protect the inhabitants of the Free States from kidnappers, and secure to those who are charged with owing service or labor a fair and impartial trial, such as the Constitution of the United States guarantees to every person. If a Southern slaveholder seizes his slave in Massachusetts, and proves his claim to him, the Personal Liberty law offers not the slightest obstacle to his rendition. But it very justly, and righteously, and constitutionally provides, that the claim *shall be clearly established* before the person seized shall be carried off. It secures to the person charged with owing service or labor the same legal assistance and the same opportunities of defense that are granted to a person charged with murder or any other crime. It is sometimes maintained that the fugitive slave is in the same category with the fugitive from justice, and should be delivered up as summarily. But the cases are not parallel. The fugitive from justice, charged with murder, for instance, is not delivered up, like the slave, into private hands, but into the custody of the law, to be legally tried. But the surrender of the alleged fugitive slave involves no trial after delivery. He is consigned at once to Slavery. He is put, without further process, into private hands—into the hands of a person who has a strong pecuniary interest in suppressing his rights, if he have any. His only chance, therefore, of establishing his freedom, if wrongfully accused of owing service or labor, is a trial in the place of his residence, where he is known and can command witnesses, and to secure that to him is the sole object of the Personal Liberty law."

4th. *The Non-Execution of the Fugitive Slave law*.—It is asserted, with strict justice, that those States which have raised this objection most frequently and imperatively are those which have never been the losers of a slave through the inefficiency of that act. Mr.

Everett says: "The manifesto of South Carolina, which led the way in this inauspicious movement, sets forth nothing but the passage of State laws to obstruct the surrender of fugitive slaves. The document does not state that she ever lost a slave in consequence of these laws—it is not probable she ever did—and yet she makes the existence of these laws, which are wholly inoperative, so far as she is concerned, and which, probably, *never caused to the entire South the loss of a dozen fugitives*, the ground for breaking up the Union, and plunging the country into a civil war."

The same statement was made by Mr. Douglas, in his speech of December 11th, 1860. Mr. Pugh, Democratic Senator from Ohio, and a warm friend of the Slave States, stated that he did not believe all the Slave States together, had lost one hundred thousand dollars by their fugitives. Mr. Douglas confirmed it by saying, among other things:—

"I think, therefore, there is little ground of complaint, so far as the section of the country in which I live is concerned, and yet I know that the Southern people are induced to believe that if a slave gets into the North he is gone for ever. They are to think so because the cases of actual returns are never published, and only the exceptional cases of rescue come to the knowledge of the people. I wish we could have the list of the fugitive slaves that are returned, and of the number rescued, and I venture the assertion that Southern gentlemen would be amazed at the fidelity with which that law has been executed. I believe, if we could have a record of the cases, they would be ashamed to bring up that subject as one of the causes to justify the dissolution of the Union. * * * While we hear of personal liberty bills, prosecuted as the cause of disunion, we are told, and, so far as I know, the statement is true, that in no one case have these bills been the cause of depriving a master of the return of his slave. These bills generally exist in that part of the country where fugitives never come, yet so it happens that there is the greatest excitement on this question, just in proportion as you recede from the line which divides the Free from the Slave States * * * When you go North, to Vermont, where they scarcely ever saw a slave, and would not know how one looked, they are disturbed about the wrongs of the slave; and when you get down South, to Georgia and Alabama, where they never lose any slaves they are disturbed by the outrage of these bills, and the non-enforcement of the Fugitive Slave law, just in proportion as they have no interest in it, and don't know what they are talking about."

Judge Holt, of Kentucky, in his letter to the people of his State, adverting to this theme, said:

"The census returns show that during the year 1860 the Fugitive Slave law was executed more faithfully and successfully than it had been during the preceding ten years. Since the installation of President Lincoln not a case has arisen in which the fugitive has not been returned, and that, too, without any opposition from the people. Indeed, the fidelity with which it was understood to be the policy of the present Administration to enforce the provisions of this law has caused a perfect panic among the runaway slaves in the free States, and they have been escaping in multitudes to Canada, unpursued and unreclaimed by their masters. Is there found in this reason for a dissolution of the Union?"

We have, however, from the few Southern lips which have had the candor to express an honest and fearless sentiment in the case, the confession that, after all, it is not that the Liberty laws are offensive—not that the Fugitive law is not thoroughly enforced, that the revolution was instated. Mr. Iverson, in his speeches in the United States Senate [see pp. 65–75] declared plainly that it was *not* for these causes that the States were moving for Secession; but for the single, simple reason, that the South was in the minority, and no longer, in the Union, could dictate the laws controlling slaves. Then we have, as confirmatory of the propriety of the Personal Liberty enactments, the views expressed by Mr. Rhett and others, in the South Carolina Convention, of the unconstitutional nature of the Fugitive Slave act.* Hence, according to the theory

* That these gentlemen did not utter mere personal opinions, but rather a general conviction, in pronouncing the fugitive act *wholly unconstitutional*, we have the statements of the Charleston *Mercury*. As early as June, 1856, it said:—

"Of the action of Massachusetts in the abrogation of the Fugitive Slave law, we have no complaint to make. It was from the first a miserable illusion; and worse, in fact, for it was an *infringement upon one of the most cherished principles of the Constitution*, which provides that fugitives from labor, upon demand, shall be delivered up, *but gives to Congress no power to act in the affair*. The tenth amendment to the Constitution provides that the powers not delegated to the United States, are reserved to the States or to the people. The clause above confers no power, but is the naked declaration of a right; and the power not being con-

of the Secessionists—that a State has the right and the power to sit in judgment on acts of Congress—even if the Liberty laws were nullifying in their nature (which they were *not*) they would have to be justified by the revolutionists themselves.

5th. *The hostility of the President-elect to Slavery.* Upon this point the Southern leaders of the rebellion founded their strongest argument with their people, and, by a zealous use of fact and fancy, succeeded in “precipitating” action upon the announcement of Mr. Lincoln’s election. The Anti-Slavery sentiments most frequently quoted against the candidate, by his Pro-Slavery opponents, was from his speech in June, 1858; before the Springfield Convention, in which he said :

“In my opinion the Slavery agitation will not cease until a crisis shall have been reached and passed. ‘A house divided against itself cannot stand.’ I believe this Government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall, but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of Slavery will arrest the further spread of it—*place it* where the public mind shall rest in the belief that *it is in the course* of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, the old as well as the new—the North as well as the South.”

This, taken in confirmation with Mr. Seward’s somewhat celebrated Rochester Speech, in which the “irrepressible conflict” doctrine was avowed, gave argument enough

ferred results to the States, as one of the incidents of sovereignty too dear to be trusted to the General Government. Our Southern members strove for the passage of the law, and strove honorably; but it shows the evils of our unfortunate condition, that, in the urgency of our contest with an aggressive adversary, we lose the landmarks of principle. To obtain an illusive triumph, we pressed the Government to assume a power not conferred by the instrument of its creation, and to establish a precedent by which, in all after time, it will be authorized to assume unconstitutional powers, and wearied with so many efforts to confine it to its limits of legitimate powers, we are pleased to have assistance from Massachusetts, and if the question shall be determined in her favor we shall sincerely rejoice at such a vindication of the Constitution.”

to the secession leaders to prove to the masses of the South the hostile character of the new administration, and thus startled them into open revolution. Without entering at all into a discussion of the views expressed, we may state that, in assuming the doctrine of the irreconcilable nature of Slave labor and Free, both Mr. Lincoln and Mr. Seward were anticipated by Mr. Calhoun himself, who grounded his entire theory of the necessity of a Slave Confederacy upon an assumption of the irreconcilable relations of the Free and Slave institutions. In his great Nullification speech, in the United States Senate, (1833,) he said :

“The contest between the North and the South will, in fact, be a contest between power and liberty, and such he considered the present; a contest in which the weaker section, with its peculiar labor, productions and situation, has at stake all that is dear to freemen.”

Commenting on the above, Mr. Benton remarked:—

“Here is a distinct declaration that there was then a contest between the two sections of the Union, and that that contest was between power and liberty, in which the freedom and the slave property of the South were at stake. This declaration at the time attracted but little attention, there being then no sign of a Slavery agitation, but to close observers it was an ominous revelation of something to come, and an apparent laying an anchor to windward for a new agitation on a new subject, after the tariff was done with.”

The expression above quoted from Mr. Lincoln’s lips, in 1858, was not the strongest to which he had given utterance, although it was most frequently referred to by the Southern leaders. In his Peoria speech, Oct. 16th, 1854, [see Howell’s Life of Lincoln, page 279,] he said:—

“What I do say is, that no man is good enough to govern another man without the other’s consent. I say this is the leading principle, the sheet-anchor of American Republicanism. Our Declaration of Independence says :

“‘We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights Governments are instituted among men, deriving their just power from the consent of the governed.’

‘I have quoted so much at this time merely to

show that, according to our ancient faith, the powers of Government are derived from the consent of the governed. Now, the relation of master and slave is, *pro tanto*, a total violation of the principle. The master not only governs the slave without his consent, but he governs him by a set of rules altogether different from those which he prescribes for himself. Allow all the governed an equal voice in the Government; and that, and that only, is self-government."

In September, 1858, he further added to his opinions of the equality of men of all races and conditions:—

"That central idea in our political system at the beginning was, and until recently continued to be, the equality of men. And although it was always submitted patiently to, whatever inequality there seemed to be, as a matter of actual necessity, its constant working has been a steady progress toward the practical equality of all men.

"In what I have done I cannot claim to have acted from any peculiar consideration of the colored people as a separate and distinct class in the community, but from the simple conviction that all the individuals of that class are members of the community, and in virtue of their manhood entitled to every original right enjoyed by any other member. We feel, therefore, that all legal distinction between individuals of the same community, founded in any such circumstances as color, origin, and the like, are hostile to the genius of our institutions, and incompatible with the true history of American liberty. Slavery and oppression must cease, or American liberty must perish.

"In Massachusetts, and in most, if not all, of the New England States, the colored man and the white are absolutely equal before the law.

"In New York the colored man is restricted as to the right of suffrage by a property qualification. In other respects the same equality prevails.

"I embrace with pleasure this opportunity of declaring my disapprobation of that clause of the Constitution (of Illinois) which denies to a portion of the colored people the right of suffrage.

"True Democracy makes no inquiry about the color of the skin, or place of nativity, or any other similar circumstance of condition. I regard, therefore, the exclusion of the colored people as a body from the elective franchise as incompatible with the true Democratic principle."

This, we believe, was the record of the President-elect to which the South took most violent exceptions, and which its incendiary leaders used in their efforts to influence the popular mind to the point of revolution. The

reader is at liberty to make his own conclusions in the premises, and to say if these mere *opinions* of the President were sufficient cause for the attempt to break up the Union.

These sentiments are, however, disarmed of their asserted "hostility," by their mere generality, as well as by the fact that no President has power to change laws, to abrogate decisions, or to forestall Congressional Legislation. The Supreme Court is superior to him; the Constitution is superior to him; the House of Representatives is superior to him; his tenure of office is brief; and, even if he were Mahommedan or Brahmin, Monarchist or Socialist, he has no power to affect the laws of the land for evil.

But, the President did not go before the people without a most specific record on all the great questions agitating the public mind. In considering charges of "hostility" to any section of the Union and its institutions, it is necessary to examine into his declarations in regard to individual acts and provisions which he may be called upon to enforce, and to scrutinize those views of public policy which he might seek to embody through the legislation of his partisans. We have, in his Freeport (Ill.) speech, Aug. 27th 1858, his replies to the questions put to him by his opponent, Mr. Douglas. These furnish us with his specific executive views at length. The questions and answers were as follows:—

"Question 1. I desire to know whether Lincoln, to-day, stands, as he did in 1854, in favor of the unconditional repeal of the Fugitive Slave law?"

Answer. I do not now, nor ever did, stand in favor of the unconditional repeal of the Fugitive Slave law.

Q. I desire him to answer whether he stands pledged to-day, as he did in 1854, against the admission of any more Slave States into the Union, even if the people want them?

A. I do not now, nor ever did, stand pledged against the admission of any more Slave States into the Union.

Q. I want to know whether he stands pledged against the admission of a new State into the Union, with such a Constitution as the people of that State may see fit to make.

A. I do not stand pledged against the admission of a new State into the Union, with such a Constitution as the people of that State may see fit to make.

Q. I want to know whether he stands, to-day, pledged to the abolition of Slavery in the District of Columbia?

A. I do not stand pledged to-day to the abolition of Slavery in the District of Columbia.

Q. I desire him to answer whether he stands pledged to the prohibition of the slave trade between the different States?

A. I do not stand pledged to the prohibition of the slave trade between the different States.

Q. I desire to know whether he stands pledged to prohibit Slavery in all the Territories of the United States, north, as well as south, of the Missouri Compromise line?

A. I am impliedly, if not expressly, pledged to a belief in the *right* and *duty* of Congress to prohibit Slavery in all the United States' Territories.

Q. I desire him to answer whether he is opposed to the acquisition of any new Territory, unless Slavery is first prohibited therein?

A. I am not generally opposed to honest acquisition of Territory, and in any given case I would or would not oppose such acquisition, accordingly as I might think such acquisition would or would not aggravate the Slavery question among ourselves."

Lincoln's feelings towards the South.

To this must be added his directly expressed views in regard to the South, his feelings toward it, his wishes regarding their prosperity, &c. These are stated clearly in his Peoria speech above quoted from:—

"I think I have no prejudice against the Southern people. They are just what we would be in their situation. If Slavery did not now exist among them, they would not introduce it. If it did now exist among us, we should not instantly give it up. This I believe of the masses North and South. Doubtless there are individuals on both sides who would not hold slaves under any circumstances, and others who would gladly introduce Slavery anew if it were out

of existence. We know that some Southern men do free their slaves, go North, and become tip-top Abolitionists; while some Northern ones go South, and become most cruel Slave-masters.

"When Southern people tell us they are no more responsible for the origin of Slavery than we, I acknowledge the fact. When it is said that the institution exists, and that it is very difficult to get rid of it in any satisfactory way, I can understand and appreciate the saying. I surely will not blame them for not doing what I should not know how to do myself. If all earthly power were given me, I should not know what to do as to the existing institution. * * * It does seem to me that systems of gradual emancipation might be adopted; but for their tardiness in this, I will not undertake to judge our brethren in the South.

"When they remind us of their Constitutional rights, I acknowledge them, not greedily, but fully and fairly; and I would give them any legislation for the reclaiming of their fugitives, which should not, in its stringency, be more likely to carry a free man into Slavery, than our ordinary criminal laws are to hang an innocent one."

In the face of this solid array of testimony, directly on the point of interest, it is impossible for any candid judge to justify the Southern leaders' assumption of the hostility of the President elect as one prime cause of the rebellion. The bad use made of his abstract belief on points of general economy—the total suppression of his views, wishes, and purposes on the very points involved—if they effected the end designed, of plunging the country into the revolution, will but add another ineradicable witness to prove that the entire disunion movement was based upon a studied deception of the masses in the South.

CHAPTER III.

THE SOUTH CAROLINA COMMISSIONERS AT WASHINGTON. THEIR CORRESPONDENCE WITH THE PRESIDENT ON THEIR RETURN TO CHARLESTON.

DECEMBER 29th, the
three Commissioners elect-
ed by the South Carolina
Convention, to represent that body to the
Government of the United States, sent in
their letter of accredit to the President. It
read:—

"WASHINGTON, Dec. 28th, 1860.

"SIR:—We have the honor to transmit to you a copy of the full powers from the Convention of the people of South Carolina, under which we are 'authorized and empowered to treat with the Government of the United States for the delivery of the forts, magazines, lighthouses, and other real estate, with their appurtenances, within the limits of South Carolina, and also for an apportionment of the public debt, and for a division of all the property held by the Government of the United States, as agent of the Confederate States, of which South Carolina was recently a member, and generally to negotiate as to all other measures and arrangements proper to be made and adopted in the existing relation of the parties, and for the continuance of peace and amity between this Commonwealth and the Government at Washington.'

"In the execution of this trust, it is our duty to furnish you, as we now do, with an official copy of the Ordinance of Secession, by which the State of South Carolina has resumed the powers she delegated to the Government of the United States, and has declared her perfect sovereignty and independence.

"It would also have been our duty to have informed you that we were ready to negotiate with you upon all such questions as are necessarily raised by the adoption of this ordinance, and that we were prepared to enter upon this negotiation with the earnest desire to avoid all unnecessary and hostile collision, and so to inaugurate our new relations as to secure mutual respect, general advantage, and a future of good will and harmony, beneficial to all the parties concerned.

"But the events of the past twenty-four hours render such an assurance impossible. We came

here the representatives of an authority which could at any time within the past sixty days have taken possession of the forts in Charleston harbor, but, upon pledges given in a manner that we cannot doubt, determined to trust to your honor rather than to its own power. Since our arrival, an officer of the United States, acting, as we are assured, not only without, but against your orders, has dismantled one fort, and occupied another, thus altering to a most important extent the condition of affairs under which we came.

"Until these circumstances are explained in a manner which relieves us of all doubt as to the spirit in which these negotiations shall be conducted, we are forced to suspend all discussion as to any arrangements by which our mutual interests might be amicably adjusted.

"And, in conclusion, we would urge upon you the immediate withdrawal of the troops from the harbor of Charleston. Under present circumstances, they are a standing menace which renders negotiation impossible, and, as our recent experience shows, threatens speedily to bring to a bloody issue questions which ought to be settled with temperance and judgment.

"We have the honor to be, very respectfully,
your obedient servants,

R. W. BARNWELL, }
J. H. ADAMS. } Commissioners.
JAMES L. ORR, }

"To the President of the United States."

To this the President replied as follows:—

"WASHINGTON CITY, Dec. 30, 1860.

"GENTLEMEN,—I have had the honor to receive your communication of 28th inst., together with a copy of your 'full powers from the Convention of the people of South Carolina,'

The President's
Answer.

authorizing you to treat with the Government of the United States, on various important subjects therein mentioned, and also a copy of the Ordinance, bearing date on the 20th inst., declaring that 'the Union now subsisting between South Carolina and other States, under the name of the United States of America is hereby dissolved.'

The President's
Answer.

"In answer to this communication I have to say that my position, as President of the United States, was clearly defined, in the message to Congress on the 3d inst. In that I stated that, 'apart from the execution of the laws, so far as this may be practicable, the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to change the relations hitherto existing between them, much less to acknowledge the independence of that State. This would be to invest a mere executive officer with the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States. It bears no resemblance to the recognition of a foreign *de facto* government, involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question, in all its bearings.

"Such is my opinion still. I could, therefore, meet you only as private gentlemen of the highest character, and was entirely willing to communicate to Congress any proposition you might have to make to that body upon the subject. Of this you were well aware. It was my earnest desire that such a disposition might be made of the whole subject by Congress, who alone possess the power, as to prevent the inauguration of a civil war between the parties in regard to the possession of the Federal forts in the harbor of Charleston; and I, therefore, deeply regret that, in your opinion, 'the events of the last twenty-four hours render this impossible.' In conclusion, you urge upon me 'the immediate withdrawal of the troops from the harbor of Charleston,' stating that, under present circumstances, they are a standing menace, which renders negotiation impossible, and, as our recent experience shows, threaten speedily to bring to a bloody issue questions which ought to be settled with temperance and judgment."

"The reason for this change in your position is, that since your arrival in Washington, 'an officer of the United States, acting, as we (you) are assured, not only without, but against your (my) orders, has dismantled one fort and occupied another—thus altering to a most important extent the condition of affairs under which we (you) came.' You also allege that you came here, 'the representatives of an authority which could, at any time within the past sixty days, have taken possession of the forts in Charleston harbor, but which, upon pledges given in a manner that we (you) cannot doubt, determined to trust to your (my) honor, rather than to its power.'

The President's
Answer.

"This brings me to a consideration of the nature of those alleged pledges, and in what manner they have been observed. In my Message of the 3d of December last, I stated, in regard to the property of the United States in South Carolina, that it 'has been purchased for a fair equivalent, by consent of the Legislature of the State, for the erection of forts, magazines, arsenals, &c., and over these the authority 'to exercise exclusive legislation,' has been expressly granted by the Constitution to Congress. It is not believed that any attempt will be made to expel the United States from this property by force; but if in this I should prove to be mistaken, the officer in command of the forts has received orders to act strictly on the defensive. In such a contingency, the responsibility for consequences would rightfully rest upon the heads of the assailants.' This being the condition of the parties, on Saturday, 8th December, four of the Representatives from South Carolina called upon me, and requested an interview. We had an earnest conversation on the subject of these forts, and the best means of preventing a collision between the parties, for the purpose of sparing the effusion of blood. I suggested, for prudential reasons, that it would be best to put in writing what they said to me verbally. They did so, accordingly, and, on Monday morning, the 10th inst., three of them presented to me a paper signed by all the Representatives from South Carolina, with a single exception, of which the following is a copy:

'To His Excellency JAMES BUCHANAN, President of the United States:—

'In compliance with our statement to you yesterday, we now express to you our strong convictions that neither the constituted authorities, nor any body of the people of the State of South Carolina, will either attack or molest the United States forts in the harbor of Charleston, previously to the act of the Convention, and we hope and believe not until an offer has been made through an accredited representative, to negotiate for an amicable arrangement of all matters between the State and the Federal Government, provided that no reinforcements shall be sent into those forts, and their relative military status shall remain as at present.

JOHN MCQUEEN,
M. L. BONHAM,
W. W. BOYCE,
LAWRENCE M. KEITT.

'WASHINGTON, December 9, 1860.'

"And here I must, in justice to myself, remark that at the time the paper was presented to me, I objected to the word 'provided,' as it might be

The President's
Answer.

construed into an agreement on my part, which I never would make. They said that nothing was further from their intention—they did not so understand it, and I should not so consider it. It is evident they could enter into no reciprocal agreement with me on the subject. They did not profess to have authority to do this, and were acting in their individual character. I considered it as nothing more, in effect, than the promise of highly honorable gentlemen to exert their influence for the purpose expressed. The event has proven that they have faithfully kept this promise, although I have never since received a line from any one of them, or from any member of the Convention on the subject. It is well known that it was my determination, and this I freely expressed, not to reinforce the forts in the harbor, and thus produce a collision, until they had been actually attacked, or until I had certain evidence that they were about to be attacked. This paper I received most cordially, and considered it as a happy omen that peace might be still preserved, and that time might be thus given for reflection. This is the whole foundation for the alleged pledge.

"But I acted in the same manner as I would have done had I entered into a positive and formal agreement with parties capable of contracting, although such an agreement would have been on my part, from the nature of my official duties, impossible. The world knows that I have never sent any reinforcements to the forts in Charleston harbor, and I have certainly never authorized any change to be made 'in their relative military status.' Bearing upon this subject, I refer you to an order issued by the Secretary of War, on the 11th inst., to Major Anderson, but not brought to my notice until the 21st inst. It is as follows:—[See page 125 for these orders.]

"This is in conformity to my instructions to Major Buell.

"JOHN B. FLOYD,

"Secretary of War."

The President's
Answer.

"These were the last instructions transmitted to Major Anderson before his removal to

Fort Sumter, with a single exception, in regard to a particular which does not in any degree affect the present question. Under these circumstances it is clear that Major Anderson acted upon his own responsibility, and without authority, unless, indeed, he had 'tangible evidence of a design to proceed to a hostile act' on the part of South Carolina, which has not yet been alleged. Still he is a brave and honorable officer, and justice requires that he should not be condemned without a fair hearing.

"Be this as it may, when I learned that Major An-

derson had left Fort Moultrie and proceeded to Fort Sumter, my first promptings were to com-

The President's
Answer.

mand him to return to his former position, and there to await the contingencies presented in his instructions. This would only have been done with any degree of safety to the command by the concurrence of the South Carolina authorities. But before any step could possibly have been taken in this direction, we received information that the "Palmetto flag floated out to the breeze at Castle Pinckney, and a large military force went over last night (the 27th) to Fort Moultrie.' Thus the authorities of South Carolina, without waiting or asking for any explanations, and doubtless believing, as you have expressed it, that the officer had acted not only without but against my orders, on the very next day after the night when the removal was made, seized by a military force two of the Federal forts in the harbor of Charleston, and have covered them under their own flag instead of that of the United States.

"At this gloomy period of our history, startling events succeed each other rapidly. On the very day, the 27th instant, that possession of these two forts was taken, the Palmetto flag was raised over the Federal Custom-House and Post-office in Charleston; and on the same day every officer of the Customs—Collector, Naval Officer, Surveyor, and Appraiser—resigned their offices. And this, although it was well known from the language of my message that, as an executive officer, I felt myself bound to collect the revenue at the port of Charleston, under the existing laws. In the harbor of Charleston we now find three forts confronting each other, over all of which the Federal flag floated only four days ago; but now, over two of them, this flag has been supplanted, and the Palmetto flag has been substituted in its stead. It is under all these circumstances that I am urged immediately to withdraw the troops from the harbor of Charleston, and am informed that without this negotiation is impossible. This I cannot do—this I will not do. Such an idea was never thought of by me in any possible contingency. No such allusion had been made in any communication between myself and any human being. But the inference is that I am bound to withdraw the troops from the only fort remaining in the possession of the United States in the harbor of Charleston, because the officer there in command of all of the forts thought proper, without instructions, to change his position from one of them to another.

"At this point of writing, I have received information by telegraph from Capt. Humphreys, in command of the arsenal at Charleston, that 'it has today (Sunday, the 30th) been taken by force of arms.' It is estimated that the munitions of war belonging to this arsenal are worth half a million of dollars.

The President's
Answer.

"Comment is needless. After this information, I have only to add, that whilst it is my duty to

defend Fort Sumter as a portion of the public property of the United States, against hostile attacks, from whatever quarter they may come, by such means as I possess for this purpose, I do not perceive how such a defense can be construed into a menace against the city of Charleston. With great personal regard I remain, yours very respectfully,

"JAMES BUCHANAN.

"To Hon. Robert W. Barnwell, James H. Adams, James L. Orr."

The Commissioners replied to this in the following strongly personal communication :

The Commissioners'
Rejoinder.

"WASHINGTON, D. C.,
Jan. 1, 1861.

"SIR:—We have the honor to acknowledge the receipt of your letter of the 30th December, in reply to a note addressed by us to you, on the 28th of the same month, as Commissioners from South Carolina.

"In reference to the declaration with which your reply commences, that your 'position as President of the United States was already defined in the message to Congress of the 2d instant;' that you possess 'no power to change the relations heretofore existing between South Carolina and the United States,' 'much less to acknowledge the independence of that State,' and that consequently you could meet us only as private gentlemen of the highest character, with an entire willingness to communicate to Congress any proposition we might have to make—we deem it only necessary to say that the State of South Carolina having, in the exercise of that great right of self-government which underlies all our political organizations, declared herself sovereign and independent, we, as her representatives, felt no special solicitude as to the character in which you might recognize us. Satisfied that the State had simply exercised her unquestionable right, we were prepared, in order to reach substantial good, to waive the formal considerations which your constitutional scruples might have prevented you from extending. We came here, therefore, expecting to be received as you did receive us, and perfectly content with that entire willingness, of which you assured us, to submit any proposition to Congress which we might have to make upon the subject of the independence of the State. The willingness was ample recognition of the condition of public affairs, which rendered our presence necessary. In this position, however, it is our duty both to the State which we represent and to ourselves, to correct several important misconceptions of our letter, into which you have fallen.

"You say:—It was my earnest desire that such

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a disposition might be made of the whole subject by Congress, who alone possess the power,

to prevent the inauguration of a civil war between the parties in regard to the possession of the Federal forts in the harbor of Charleston; and I therefore deeply regret that in your opinion the events of the last twenty-four hours render this impossible. We expressed no such opinion; and the language which you quote as ours, is altered in its sense by the omission of a most important part of the sentence. What we did say was, 'But the events of the last twenty-four hours render such an assurance impossible.' Place that 'assurance,' as contained in our letter, in the sentence, and we are prepared to repeat it.

"Again, professing to quote our language, you say:—Thus the authorities of South Carolina, without waiting or asking for any explanation, and doubtless believing, as you have expressed it, that the officer had acted not only without, but against my orders,' &c. We expressed no such opinion in reference to the belief of the people of South Carolina. The language which you have quoted was applied solely and entirely to our assurances obtained here, and based, as you well know, upon your own declaration—a declaration which, at that time, it was impossible for the authorities of South Carolina to have known. But, without following this letter into all its details, we propose only to meet the chief points of the argument.

"Some weeks ago the State of South Carolina declared her intention, in the existing condition of public affairs, to secede from the United States. She called a Convention of her people to put her declaration in force. The Convention met and passed the Ordinance of Secession. All this you anticipated, and your course of action was thoroughly considered in your Annual Message. You declared you had no right, and would not attempt, to coerce a Seceding State, but that you were bound by your constitutional oath, and would defend the property of the United States within the borders of South Carolina if an attempt was made to take it by force. Seeing very early

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that this question of property was a difficult and delicate one, you manifested a desire to settle it without collision. You did not reinforce the garrison in the harbor of Charleston. You removed a distinguished and veteran officer from the command of Fort Moultrie because he attempted to increase his supply of ammunition. You refused to send additional troops to the same garrison when applied for by the officers appointed to succeed him. You accepted the resignation of the oldest and most eminent member of your Cabinet, rather than allow the

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garrison to be strengthened. You compelled an officer, stationed at Fort Sumter, to return immediately to the arsenal forty muskets which he had taken to arm his men. You expressed not to one, but to many, of the most distinguished of our public characters, whose testimony will be placed upon the record whenever it is necessary, your anxiety for a peaceful termination of this controversy, and your willingness not to disturb the military status of the forts, if Commissioners should be sent to the Government, whose communications you promised to submit to Congress. You received and acted on assurances from the highest official authorities of South Carolina, that no attempt would be made to disturb your possession of the forts and property of the United States, if you would not disturb their existing condition until the Commissioners had been sent, and the attempt to negotiate had failed. You took from the members of the House of Representatives a written memorandum that no such attempt should be made, 'provided that no reinforcements should be sent into those forts, and their relative military status shall remain as at present.' And, although you attach no force to the acceptance of such a paper—although you 'considered it as nothing more in effect than the promise of highly honorable gentlemen'—as an obligation on one side, without corresponding obligation on the other—it must be remembered (if we were rightly informed) that you were pledged, if you ever did send reinforcements, to return it to those from whom you had received it, before you executed your resolution. You sent orders to your officers, commanding them strictly to follow a line of conduct in conformity with such an understanding. Besides all this, you had received formal and official notice from the Governor of South Carolina that we had been appointed Commissioners, and were on our way to Washington. You knew the implied condition under which we came; our arrival was notified to you, and an hour appointed for an interview. We arrived at Washington on Wednesday, at 3 o'clock, and you appointed an interview with us at 1 the next day. Early on that day, (Thursday,) the news was received here of the movement of Major Anderson. That news was communicated to you immediately, and you postponed our meeting until 2½ o'clock on Friday, in order that you might consult your Cabinet. On Friday we saw you, and we called upon you then to redeem your pledge. You could not deny it. With the facts we have stated, and in the face of the crowning and conclusive fact that your Secretary of War had resigned his seat in the Cabinet, upon the publicly avowed ground that the action of Major Anderson had vio-

lated the pledged faith of the Government, and that unless the pledge was instantly redeemed,

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he was dishonored, denial was impossible; you did not deny it. You do not deny it now, but you seem to escape from its obligation on the grounds, first, that we terminated all negotiation by demanding, as a preliminary, the withdrawal of the United States troops from the harbor of Charleston; and, second, that the authorities of South Carolina, instead of asking explanation, and giving you the opportunity to vindicate yourself, took possession of other property of the United States. We will examine both.

In the first place, we deny positively that we have ever in any way made any such demand. Our letter is in your possession; it will stand by this on record. In it we informed you of the objects of our mission. We say that it would have been our duty to have assured you of our readiness to commence negotiations, with the most earnest and anxious desire to settle all questions between us amicably and to our mutual advantage, but that events had rendered that assurance impossible. We stated the events, and we said that until some satisfactory explanation of these events was given us, we could not proceed; and then, having made this request for explanation, we added: "And in conclusion, we would urge upon you the immediate withdrawal of the troops from the harbor of Charleston. Under present circumstances they are a standing menace, which renders negotiation impossible," &c. "Under present circumstances!" What circumstances? Why, clearly, the occupation of Fort Sumter and the dismantling of Fort Moultrie by Major Anderson, in the face of your pledges and without explanation or practical disavowal. And there is nothing in the letter which would, or could, have prevented you from declining to withdraw the troops, and offering the restoration of the status to which you were pledged, if such has been your desire; it would have been wiser and better, in our opinion, to have withdrawn the troops, and this opinion we urged upon you, but we demanded nothing but such an explanation of the events of the last twenty-four hours as would restore our confidence in the spirit with which the negotiations should be conducted. In relation to this withdrawal of the troops from the harbor, we are compelled, however, to notice one passage of your letter. Referring to it, you say: 'This I cannot do. This I will not do. Such an idea was never thought of by me in any possible contingency. No allusion to it had ever been made in any communication between myself and any human being.'

"In reply to this statement, we are compelled to

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say, that your conversation with us left upon our minds the distinct impression, that you did

seriously contemplate the withdrawal of the troops from Charleston harbor. And in support of this impression, we would add, that we have the positive assurance of gentlemen of the highest possible public reputation and the most unsullied integrity—men whose name and fame, secured by long service and patriotic achievements, place their testimony beyond cavil—that such suggestions had been made to and urged upon you by them, and had formed the subject of more than one earnest discussion with you. And it was this knowledge that induced us to urge upon you a policy, which had to recommend it its own wisdom and the might of such authority. As to the second point, that the authorities of South Carolina, instead of asking explanations, and giving you the opportunity to vindicate yourself, took possession of other property of the United States, we would observe:—1. That even if this were so, it does not avail you for defence, for the opportunity for decision was afforded you before these facts occurred. We arrived in Washington on Wednesday; the news from Major Anderson reached here early on Thursday, and was immediately communicated to you. All that day men of the highest consideration—men who had striven successfully to lift you to your great office—who had been your tried and true friends through the troubles of your administration, sought you and entreated you to act—to act at once. They told you that every hour complicated your position. They only asked you to give the assurance that if the facts were so—that if the commander had acted without and against your orders, and in violation of your pledges—that you would restore the status you had pledged your honor to maintain. You refused to decide. Your Secretary at War, your immediate and proper adviser in this whole matter, waited anxiously for your decision, until he felt that delay was becoming dishonor. More than twelve hours passed, and two Cabinet meetings had adjourned, before you knew what the authorities of South Carolina had done; and your prompt decision at any moment of that time would have avoided the subsequent complications. But, if you had known the acts of the authorities of South Carolina, should that have prevented your keeping your faith? What was the condition of things? For the last sixty days you have had in Charleston harbor not force enough to hold the forts against an equal enemy. Two of them were empty—one of those two the most important in the harbor. It could have been taken at any time. You ought to know better than any man that it would have been taken,

but for the efforts of those who put their trust in your honor.

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Believing that they were threatened by Fort Sumter especially, the people were with difficulty restrained from securing, without blood, the possession of this important fortress. After many and reiterated assurances, given on your behalf, which we cannot believe unauthorized, they determined to forbear, and in good faith sent on their Commissioners to negotiate with you. They meant you no harm—wished you no ill. They thought of you kindly, believed you true, and were willing, as far as was consistent with duty, to spare you unnecessary and hostile collision. Scarcely had these Commissioners left than Major Anderson waged war. No other words will describe his action. It was not a peaceful change from one fort to another; it was a hostile act in the highest sense, and only justified in the presence of a superior enemy, and in imminent peril. He abandoned his position, spiked his guns, burned his gun-carriages, made preparations for the destruction of his post, and withdrew, under cover of the night, to a safer position. This was war. No man could have believed (without your assurance,) that any officer could have taken such a step, 'not only without orders, but against orders.' What the State did was in simple self-defence; for this act, with all its attending circumstances, was as much war as firing a volley; and war being thus begun, until those commencing it explained their action and disavowed their intention, there was no room for delay; and even at this moment while we are writing, it is more than probable, from the tenor of your letter, that reinforcements are hurrying on to the conflict, so that when the first gun shall be fired, there will have been on your part one continuous, consistent series of actions, commencing in a demonstration essentially warlike, supported by regular reinforcements and terminating in defeat or victory. And all this without the slightest provocation; for, among the many things which you have said, there is one thing you cannot say—you have waited anxiously for news from the seat of war, in hopes that delay would furnish some excuse for this precipitation. But this 'tangible evidence of a design to proceed to a hostile act, on the part of the authorities of South Carolina,' which is the only justification of Major Anderson you are forced to admit, 'has not yet been alleged.' But you have decided, you have resolved to hold, by force, what you have obtained through our misplaced confidence; and by refusing to disavow the action of Major Anderson, have converted his violation of orders into a legitimate act of your executive authority. Be the issue what it may, of this we are assured, that, if Fort Moultrie

The Commissioners' Rejoinder.

has been recorded in history as a memorial of Carolina gallantry, Fort Sumter will live upon the succeeding page as an imperishable testimony of Carolina faith.

"By your course, you have probably rendered civil war inevitable. Be it so. If you choose to force this issue upon us, the State of South Carolina will accept it, and, relying upon Him who is the God of Justice as well as the God of Hosts, will endeavor to perform the great duty which lies before her hopefully, bravely, and thoroughly.

"Our mission being one for negotiation and peace, and your note leaving us without hope of a withdrawal of the troops from Fort Sumter, or of the restoration of the *status quo* existing at the time of our arrival, and intimating, as we think, your determination to reinforce the garrison in the harbor of Charleston, we respectfully inform you that we purpose returning to Charleston to-morrow afternoon.

"We have the honor to be, Sir, very respectfully, your obedient servants,

R. W. BARNWELL,
J. H. ADAMS,
JAMES L. ORR, } Commissioners.

"To His Excellency, the President of the United States."

This highly offensive document the President refused to receive. It was returned with the following endorsement:—

"EXECUTIVE MANSION, 3 $\frac{1}{4}$ o'clock, }
"Wednesday. }

"This paper, just presented to the President, is of such a character, that he declines to receive it."

The Commissioners left Washington for Charleston, Wednesday afternoon.

The Result.

The correspondence above given was first published in the Charleston *Courier* of January 5th. It was regarded as equivalent to an opening of hostilities, and every hour was expected to bring news of an assault on Sumter. In view of such an event, the steamer *Star of the West* departed, secretly, from New York harbor on the evening of Saturday, January 5th, with a heavy store of provisions and 250 troops for Major Anderson, in command of men of tried patriotism and efficiency. The President, under the influence of the loyalty and vigor infused into his counsels by the new members of the Cabinet, seemed, for the moment, to awaken to his full duty.

CHAPTER IV.

THE PROCEEDINGS OF CONGRESS CONTINUED. FIFTH WEEK. THE SPEECHES OF SENATORS BENJAMIN, BAKER, DOUGLAS, AND OTHERS. IMPORTANT RESOLUTIONS.

In the Senate, Monday, December 31st, Mr. Powell, from the Special Committee of Thirteen, reported that it had not been able to agree upon any general plan of adjustment. Mr. Crittenden then asked that some day be set apart for the consideration of the joint resolution offered by him. The resolution was, thereupon, made the special order for Wednesday, when Mr. Douglas would have the floor. Mr. Wilson (Republican) of Massachusetts, introduced a resolution of inquiry, that the Secretary of War be requested to

inform the Senate what disposition had been made of the arms made at the National Armories, if any had been sold, and, if so, at what prices and to whom, what number there were in the arsenals, and how they were protected. This was immediately objected to by Southern members, and was laid over under the rules. Mr. Benjamin, of Louisiana, having the floor, addressed the Senate on the state of the country. The audience was unusually large, and the interest manifested was intense, owing not more to the Senator's ability as a

speaker, than to the position which he was to assume, of an open advocacy of the secession programme. Hitherto Mr. Benjamin had been regarded as eminently conservative, and opposed to disunion; but the growing sentiment of his State for secession, and the futility of compromise, had impelled him to accept the Southern view, and to become its advocate. His speech would define the course of the "Conservatives," and, for that reason, commanded unusual consideration.

Mr. Benjamin commenced

Benjamin's Speech.

by referring to a speech made by him four years

previously, in which he declared that the aggressions of the North would force the South to throw the sword in the balance. The prophecy was now fact. How will the country and Congress meet the issue? South Carolina, exercising her inalienable rights, had dissolved her relations with the Union. Mississippi would follow next week; then Alabama and Florida; a week after, Georgia; a little later Louisiana, and, soon after her, Arkansas. What then shall be done? Shall South Carolina be acknowledged a free and independent State, or shall she be coerced by force? Mr. Benjamin proceeded to quote from Mr. Webster's speech in the Rhode Island case, to show that the Great Expounder of the Constitution considered a Convention of Delegates, duly elected and assembled, had full power to act on the question of Union, or secession from the Union. He also quoted from Mr. Madison's works, to prove that he held the same view. He read from the debate of the Convention which formed the Constitution, to show that the members of that Convention refused to make the Senate the judge of, or give the President the power to veto, the action of a State; that they refused to give Congress the power to negative State legislation, and that they specially refused to give any power to coerce States; yet, when the State Convention came to ratify the Constitution, the States were not sufficiently secure. It must be admitted that certain political rights are guaranteed the States, but when these rights are denied where is the remedy? Suppose that South Carolina should send two Senators here, and the majority should refuse to receive but one,

what power can compel that majority to repair that wrong? Suppose that South Carolina should then withdraw from the Union who could say it was a violation of the Constitution? Suppose, again, that a wrong is perpetrated which does not appear quite clear to the North but does appear clear to South Carolina—suppose she is denied access to the Territories? Is she without any remedy under the Constitution? If there is none then she must be the judge of the wrong and the mode of redress. He read an extract from an address delivered by John Quincy Adams, in New York, in 1838, in which he said nations themselves must be the sole judge whether compacts are broken, and also saying "that when all fraternal feeling was gone between the States, then it was time to separate in peace and return to their original state." Suppose that South Carolina is wrong in believing that wrong has been done her, still that does not alter the issue whether we shall permit her to withdraw or force her back. In reply to the Senator from Wisconsin (Mr. Doolittle), he claimed that a citizen was bound to obey his State Government. The Republican Senators say that they will not coerce a State, but enforce the laws against individuals. But how can they punish an individual in a State for treason? Where are they to find the judge and jury to do so, when all the citizens in the State think that he has done right? They could not blockade a port without declaring war; they could not embargo one port without closing the other. He claimed that neither Congress nor the President had the power to go into a State with a military force without the intervention of the civil power—some civil process must precede the military force. He argued that they could not collect the revenue by force. Such threats were only a pretext to cover up the real question, which is no other than this: "Shall we acknowledge the independence of a seceding State or reduce her to subjection by war?" Mr. Benjamin here read from Vattel to show that the hypocritical keeping of compacts was of no avail, and referred to the case of Rhadamiscus, who promised not to use steel against a captive, yet smothered him. He added:

"And you, Senators of the Republican party, you

Mr. Benjamin's
Speech.

assert, and your people assert, that, under a just and fair interpretation of the Federal Constitution, it is right to deny that our slaves, which, directly or indirectly, involve a value of \$4,000,000,000, are property at all, entitled to protection in the Territories under and by the Government. You assert that, by a fair interpretation of that instrument, it is right to encourage, by all possible means, the robbery of this property, and to legislate so as to render its recovery as dangerous and difficult as possible. You say that it is right and proper, under the Constitution, to prevent our mere transit across a sister State, to embark with our property on a lawful voyage, without being openly despoiled of it. You assert that it is right and proper to hold us up to the ban of mankind, in speeches and writings, as thieves, robbers, villains, and criminals of the blackest die, because we continue to own property, which we owned at the time we all signed the compact. You say it is right that we should be disposed to spend our treasure in the purchase, and our blood in the conquest of foreign Territory, and yet have no right to enter it for settlement, without leaving behind our most valuable property, under penalty of its confiscation. Your fathers interpreted this instrument to mean safety and peace to all, and you say it is eminently in accordance with the surety that our welfare and peace is to be preserved, that our sister States should combine to prevent our growth and development, and surround us with a cordon of hostile communities, for the express and avowed purpose of accumulating, in dense masses and within restricted limits, a population which you believe to be dangerous, and thereby forcing us to sacrifice a property nearly sufficient in value to pay the public debt of every nation in Europe. This construction of the instrument which was to preserve our security and promote our welfare, and which we only signed on your assurance, that such was its object, you tell us now is a fair construction. You don't propose to enter our States, you say, to kill and destroy our institutions by force. Oh, no. You initiate the faith of Rhadamiscus, and you propose simply to inclose us in an embrace that will suffocate us."

After referring, at some length, to the anomalous opinion held by the Republicans—saying that they disliked the Southern States, but would not let them go—he closed as follows:—

"Our Committee has reported this morning that no feasible scheme of adjustment can be devised. The day of adjustment has passed. If you propose to make one now, you are too late. And now, Senators, within a very few weeks we part, to meet

again as Senators in one common council chamber of the nation, no more forever. We desire, we beseech you, to let this parting be in peace. I conjure you to indulge in no vain delusion, that duty, or conscience, or interest, or honor, impose upon you the necessity of invading our States, and shedding the blood of our people. You have no possible justification for it. I trust it is from no craven spirit, or any sacrifice of the dignity or honor of my own State, that I make this last appeal, but from far higher and holier motives. If, however, it shall prove vain—if you are resolute to pervert the Government, framed by the fathers for the protection of our rights, into an instrument for subjugating and enslaving us, then, appealing to the Supreme Judge of the Universe, for the rectitude of our intentions, we must meet the issue you force upon us as best becomes freemen defending all that is dear to man. What may be the fate of this horrible contest none can foretell; but this much I will say, the fortunes of war may be adverse to your arms; you may carry desolation into our peaceful land, and with torch and firebrand may set our cities in flames; you may even emulate the atrocities of those who, in the days of the Revolution, hounded on the bloodthirsty savage; you may give the protection of your advancing armies to the furious fanatics who desire nothing more than to add the horrors of servile insurrection to civil war; you may do all this, and more, but you never can subjugate us; you never can convert the free sons of the soil into vassals, paying tribute to your power; you never can degrade them to a servile and inferior race; never, never, never."

Intense excitement followed its conclusion. The crowded galleries gave vent to shouts of applause, clapping of hands and huzzas. Mr. Mason, of Virginia, with a voice which rose above the din, demanded that the galleries instantly be cleared. Mr. Yulee, of Florida, moved to adjourn, and demanded a vote. Order was restored after the galleries were cleared, when Mr. Baker, of Oregon, having the floor, the Senate adjourned to Wednesday.

In the House, Monday, December 31st, a resolution of inquiry—similar to that of Mr. Wilson, in the Senate—was offered by Mr. McPherson, (Rep.,) of Pa., but was instantly objected to by Southern members, and was not, therefore, received. Mr. McKean, (Rep.,) of N. Y., asked leave to offer a resolution as follows:—

"That the several States did not 'ordain and establish' this McKean's Resolution. Government; that it was made

by the people of the United States in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves and their posterity; that for such purpose the people withdrew from their several State Governments certain powers and vested them in one General Government, whose Constitution, laws, and treaties are the supreme law of the land, anything in the constitution or laws of any State to the contrary notwithstanding; that we are not thirty-three nations, but one nation, made such by the Constitution, and known to the world as the American nation; that any nation has the right of self-preservation, the right to defend itself against enemies from without and traitors within; that we believe this nation has the power to do so, and that it is its duty to exercise it."

This was also objected to by Southern members and was not received.

Mr. Bingham, (Rep.,) of Ohio, offered an important resolution empowering the President to collect the revenues. It was referred to the Judiciary Committee.

The speaker laid before the House a communication from Mr. Floyd, giving his version of the acceptances extended to Mr. Russell for services *to be* performed. He justified the advance issue of the acceptances as absolutely necessary to assist the contractors in forwarding supplies, since the enormous sum required to carry out the provisions of the contract exceeded the ability of any ordinary firm. The close of his communication read, as follows:—

"I have now nearly brought my administration of the War Department to a close, and I will be excused for adverting to it briefly. There is not one branch of the military service which is not in perfect order as far as any means are afforded of knowing, and they are very complete. Some have been particularly encouraged, and, I think, improved; discipline is excellent, and the accountability to superior authority in every department could scarcely be excelled. Strict economy is enforced, and perfect responsibility in all money expenditures is and has been successfully carried into effect within four years. Since I have presided in this Department, not a dollar, I believe, has been lost to Government by embezzlement or theft, and within that time sixty millions of dollars have been disbursed. No system of administration, no line of policy, I think, could reach better results; no system of accountability

could be more perfect. These facts I confidently assert, and the Department is everywhere full of the proofs of them. I invite any investigation which the House may think proper to institute into any or all of my official acts."

This was referred to the Select Committee on the Abstraction of the Bonds.

Another attempt was made to get a resolution Exciting Resolutions. of inquiry before the House in regard to the President's course. Mr. Stevens, (Rep.) of Pennsylvania, offered a resolve requesting the President to communicate to the House, if not incompatible with the public interests, the condition of the forts, arsenals, and other property at Charleston; whether any measures have been taken to garrison and put them in condition, since it has become evident that South Carolina intended to secede; what troops were there then and now; whether any orders have been given to reinforce Fort Sumter, and what orders have been given to the officers; and whether any vessels of war have been ordered thither since the seizure of the forts by the rebels. This shared the fate of all other resolves looking to the same end, by the objection of a Southern man.

Mr. Pryor, of Virginia, introduced the following resolution:

Resolved, That any attempt to preserve the union between the States of the Confederacy by force would be impracticable and destructive to republican liberty.

He instantly demanded the previous question, which was ordered, thus cutting off objections. An exciting warfare of words followed. Motions to lay on the table, to adjourn, for the question, &c., following in rapid succession, and a passage of words occurred between Barksdale, of Mississippi, and MacClearnand (Dem.) of Illinois. The vote on the tabling of the resolution stood, 98 nays 55 nays. This vote was regarded as significant of the Union strength in the House.

Mr. Stevens, of Pennsylvania, then sought to bring forward his resolve, above referred to, by a motion to suspend the rules. Lost, by 91 against 62—not two-thirds, as required to suspend. Mr. Stanton, (Rep.,) of Ohio, having proposed a substitute, it was then adopted as an independent resolution. It proposed that the Committee on Military

Affairs inquire and report how, to whom, and for what price, arms have been distributed since January, 1860; and also into the condition of the forts, arsenals, dock-yards, &c., of the country; whether they are supplied with adequate garrisons; and whether any further measures are required to protect the public property; and that the Committee have power to send for persons and papers, and have leave to report at any time.

Wednesday's session of the Senate, (January 2nd,) was an interesting one. Before eleven o'clock the galleries, the lobbies, and the cloak-rooms were crowded, while a great multitude had gathered outside, unable to secure even a hearing place. Mr. Baker, the new Senator from Oregon, was to reply to Mr. Benjamin. His fame as an orator, and the position he was to assume as an exponent of the sentiment of the Pacific States, created much interest to hear him. His speech more than fulfilled expectation. It was an effort of great power, and was marked, throughout, with candor, earnestness and self-command.

After complimenting the speech of Mr. Benjamin as the best yet made on the Southern side of the Senate, he said it still reminded him of what had once been said of a famous book:—"It is the best that could be said of what never ought to have been said at all." Benjamin sought to prove the Union to be actually dissolved. He (Baker) wished to contribute his poor argument to sustain the Government under which he lived, and under which he hoped to die. He desired to show that this Government was a substantial power, sovereign in its sphere—a Union (and not a compact between Sovereign States), which has a right to self-protection. Its Constitution is a perpetuity, and its power is equally capable of being exercised against domestic treason and a foreign foe. He would say, first, that the argument of the Senator (Mr. Benjamin,) was based on an assumption that the Constitution of the United States is a compact between the Sovereign States, and that he thence argued that the compact was broken by one State. That South Carolina may withdraw from the Union was no new argument. It was a repetition of the famous discussion led by

Calhoun. He (Mr. Baker)

denied, as Webster, Madison, Baker's Speech.

and Jackson had denied, that

the Constitution was simply a compact between Sovereign States. He referred to the authorities quoted by the Senator from Louisiana as being detached opinions, and extracts, and read copies of extracts from Madison to show that he was opposed to nullification. He thence proceeded to argue that Mr. Madison expressly declared that the Constitution was not a compact between Sovereign States. He read from Webster's works the opinion that no State had a right to dissolve its relation to the General Government, and there could be no secession without revolution. He then claimed that according to Mr. Webster the Government was a Government of the whole people, founded by individuals. He said the argument made against nullification would apply to secession, for secession bears the same relation to nullification as biography bears to history. As somebody said history was biography with the brains knocked out; so nullification was secession with the brains knocked out. He then referred to the extract read by the Senator from an address made by J. Q. Adams, and said the Senator unwittingly left out the first part, where he said that nullification was an idea too absurd for argument, and too odious for discussion, and the right of a State to secede equally absurd. He then read the close of Mr. Adams's address, to the effect that the Constitution was the work of the people of the United States, and the United States, though double in numbers, are still one people. He then referred to the former attempts of South Carolina to do what she says she has done now. Was the President of the United States ready to do his whole duty? Whether there was such a President now he would leave for others to determine. He read an extract from the proclamation of Jackson. He (Baker) denied the assumption that States were sovereign or the Government sovereign. There was but one sovereign, and that was the people; and all arguments based on the sovereignty of a State were fallacy. He said the Constitution itself declares it was made by the people of the United States, and not by the States. The Senator from Loui-

siana has read Vattel to show that a Sovereign State could withdraw from the compact. In answer he would say, that South Carolina was not a Sovereign State, and thought all arguments made with special reference to European Sovereignties not exactly applicable here. Did the Senator mean to argue that there was a right of secession under the Constitution? Mr. Benjamin had asked what if South Carolina sent here two Senators and one was refused admittance? He thought South Carolina should first ask cause for such exclusion, but he supposed the Senator meant if it were right for a representative to be fraudulently denied his seat his State had a right to secede. He said the right of representation was inalienable, and if pertinaciously denied, may be repelled by all the force of the State, but such right is rebellion and revolutionary. He asked again if the right to secede sprang out of the Constitution?

Answering Objections.

Objections, in answer, were interposed by Mr. Benjamin, in regard to the rights of the States guaranteed by the Constitution; the following passage occurred:

Mr. Benjamin referred him to the ninth and tenth amendments to the Constitution.

Mr. Baker—Does the right to secede spring out of or belong to the Constitution? If so, where is it?

Mr. Benjamin—I suppose the Senator will scarcely deny that the States have reserved to themselves, under the Constitution, every right not expressly denied to them by the Constitution, and I say the ninth and tenth amendments to the Constitution recognize the very right which I claim.

Mr. Baker—I have been endeavoring to show that, so far from its being true that the States had reserved all rights not delegated, they did not reserve anything, and there is no such thing as reservation by the States. The instrument was made by the people, and the reservations, if any, are by the people.

Mr. Benjamin—I ask the Senator whether or not, after the Constitution had been framed, amendments were proposed by nearly all the States to meet the very construction for which I am now contending, and for maintaining the very proposition against which the gentleman now argues, the amendments stating distinctly that the meaning of the Constitution was not that the Government was framed by the whole people, but that it was a delegation of power by the States, and the people of the States reserved to themselves the powers not expressly delegated?

Mr. Baker—The answer to that is, that, in the full

light of that amendment, every argument which I have advanced from Jackson, Madison Webster, and Adams, all united in the proposition that this is a Government made by the people of the United States, in their character of people of the United States, being one Government made by them.

Mr. Baker, after some further interruptions, proceeded to refer to the Fugitive Slave law. He said:—

You will find in the history of the debates, unsurpassed in Mr. Baker's Speech. the country, between the distinguished Senator from Illinois (Mr. Douglas) and Mr. Lincoln, that he was asked, for obvious purposes, what his opinion was upon this Fugitive Slave law, and he replied, "I do not now, nor never did stand in favor of an unconditional repeal of the Fugitive Slave law;" and, Sir, I echo him, not because he is President, but because he is honest, wise and true. I reply with him, as a Senator on this floor, repeating what I believe to be the sentiments of my constituents, without distinction of party, I too, say I have not been, and never will be in favor of an unconditional repeal of the Fugitive Slave law. * * *

* * * "Now, Sir, have we in our platform, or in any resolution, or by any bill, have we evinced a disposition to repeal that Fugitive Slave law? Do we not abide by it on all occasions? Though many believe it is a hard bargain, yet it is so nominated in the bond, and we will endure it. When we make these statements, what is the reply? It is said: While your platform does not propose to repeal the Fugitive Slave law, there are States which pass Personal Liberty bills. Will gentlemen listen to our calm, frank, candid reply? The whole North is opposed to nullification in any way, or upon any subject, and we will yield obedience—which is a better word than submission—we will yield obedience to any provision of the Constitution of the United States, as it is construed by the ultimate tribunal, and that has, we understand, declared that law to be constitutional. If, then, States have passed laws in violation of it, preventing it, or to hinder or defeat it, in my judgment, and what is of infinitely more consequence, the judgment of the whole North-west, those laws ought to be repealed. Not because South Carolina threatens—not because Louisiana will secede—but because we desire to yield obedience to those high obligations of right and duty. But the honorable gentleman knows very well that there is great doubt whether those laws are in *any* sense unconstitutional. We are told that some of them were made before the Fugitive Slave law was passed. We are told that the provisions of many of them are intended to secure personal liberty, independent of any question as to a Fugitive Slave law, but whe-

whether that be so to any extent, or to what extent, we say, if it shall be proved before any competent tribunal, and, most of all, before the Supreme Court of the United States, that these laws do hinder, delay, or defeat the execution of that law, we will say, 'Let them be reformed altogether.' And, Sir, speaking in my place, with some knowledge of the Republican party—speaking by no authority of the President-elect, but because I have known him from my boyhood—I say that when the time arrives, when he shall be inaugurated in this Capitol, and exercise, in the chair of the Chief Magistrate, all the high responsibilities and duties of that place, that he will enforce the execution of all the laws of this Government, whether Revenue or Fugitive Slave law, or Territorial or otherwise, with the whole integrity of his character, and the whole power of the Government. Now, I ask my friend if that is not a fair and frank reply to anything he may say about differences of construction about the Fugitive Slave law?"

In regard to Mr. Benjamin's point of exception, that "the South complained, because holding property, which was recognized as property at the time of the formation of the Constitution by all the States, the North now undertakes to say, under the Constitution, that slaves are not property when found within the jurisdiction of the Federal Government, outside of certain States. They complain that the Federal Government does not recognize slaves as property in the Territories, at the same time it does recognize it on the high seas."

Mr. Baker replied:—

"I understand what the Senator now says to be nothing more than a specification by item of the causes of complaint. There is this difference of opinion; we to believe that Slavery is the creation of the local laws, and does not, of its own force, extend beyond that jurisdiction. We do believe, when Senators claim the contrary, that they interpolate a new reading in the Constitution, and violate the cardinal belief which has been entertained in other and better days by distinguished statesmen of this country, and by their very party and their very organization, and beyond that, which is entertained by the whole civilized world. Slavery is the creature of local law. But we do not deny that it is property at all. The whole extent of our offense is found alone in the earnest recognition of the great doctrines of civilization and humanity, and of common law, and of universal law."

Mr. Baker then quoted from a speech of Senator Butler, where he said the South did not wish to extend Slavery. He only wished

to have hands off. If that was the opinion of South Carolina then, and if it be not truly the opinion of South Carolina now, then he would appeal from Philip, from Philip drunk to Philip sober. He quoted further from a speech made by Mr. Buchanan in 1845, and also from a speech made by Mr. Clay in 1850, contending against the right to take slaves in the Territories, and still further, to make the testimony overwhelming, he quoted from a speech made by Mr. Cass at Detroit in 1854, taking the ground that, if Slavery could go into the Territories, it might go into a State in the same way. This last great leader of the Democracy has shown in the great crisis that he loved the country more than State, place, power, or party. May his memory remain green in American hearts forever and forever!

The hour for adjournment having arrived, Mr. Baker gave way for the motion to adjourn. Pending the motion, Davis, of Mississippi, asked and obtained leave to present the following:

Whereas By the II^d and III^d articles of the Constitution, it is provided that the militia shall be the security of the States and also indirectly provided that a State may in time of peace keep troops and ships of war; and by the 17th clause of the 1st article, that the jurisdiction of the Federal Government is limited; therefore

Mr. Davis' Resolutions.

Resolved, That upon the application of a State, either through a Convention or the Legislature, the Federal forces may be withdrawn, and that the President of the United States shall order the withdrawal of the Federal garrison, and take needful security for the safety of the public property remaining.

Resolved further, Whenever a State in Convention lawfully assembled, shall enact that the safety of the State requires the keeping of troops and ships of war, the President of the United States is hereby directed to recognize the power of the State to do so, and by his proclamation give information to all the parties concerned.

Laid over and ordered to be printed.

In the House, Wednesday
a stormy session was had.

House Resolutions.

Two New Jersey members presented memorials and resolutions from people and meetings of their State, recommending compromise. After some division these were referred to the Committee of Thirty-three. It was sought to secure a Special Committee of Five

for their consideration, but the effort failed. Then Mr. Davis, (Dem.) of Indiana, brought forward his resolutions of Monday, instructing the Committee on Judiciary to inquire into and report to this House at any time what legislation, if any, has become necessary on the part of Congress, in consequence of the secession position assumed by South Carolina. The House, refusing to second the demand for the previous question (47 to 72,) Mr. Davis withdrew his resolution to give way for the substitute of Mr. Holman, (Dem.) of Indiana, which declared against the right of secession, and called for the employment of the Army and Navy for the protection of public property and the collection of the revenue. Against this withdrawal both Mr. Sherman, of Ohio, and Valandigham, of Ohio, protested, as not allowable under the rules. The Speaker decided that Mr. Davis had the right. Mr. Sherman then claimed the privilege of offering Davis' original resolution. A debate sprung up which enlisted much spirit and some acrimony. The Speaker finally decided against Mr. Sherman's right to reoffer the resolution. Mr. Sherman appealed from the decision, saying it was due to the country that there should be a vote on the proposition. This appeal renewed the excitement and feeling. Mr. Sherman remained firm, and was anxious to press the vote on the appeal, but finally gave way to a motion, by Mr. Howard, of Michigan, to adjourn, with the understanding that the vote on the appeal should be taken up on re-assembling. Thursday, Mr. Sherman withdrew the appeal "by request of his friends."

Mr. Bingham, (Rep.) of Ohio, from the Judiciary Committee, reported back, with amendments, the bill to provide for the collection of the duty on imports, giving the President further powers for that purpose. The motion for its recommitment excited the Southern section of the House. The bill was finally set for consideration, Tuesday, January 8th. Its provisions were as follows:

"Whenever, by reason of unlawful obstructions, combinations or assemblages of persons it shall become impracticable in the judgment of the President to execute the laws and collect the duties on imports in the ordinary way, it shall be lawful for him to di-

rect the Custom-house for such district to be established and kept in any secure place, within some port or harbor of said district, either on land or on board any vessel; and in that case it shall be the duty of the collector to reside at such place, and there detain all the vessels and cargoes arriving within the district until the duties imposed on the cargoes by law shall be paid in cash, anything in the laws of the United States to the contrary, notwithstanding; and in such cases it shall be unlawful to take the vessel or cargo from the custody of the proper officer of the Customs, unless by a process from some Court of the United States, and, in case any attempt shall be made to take such vessel or cargo by any force or combination, or assemblages of persons too great to be overcome by the officers of the Customs, it shall and may be lawful for the President, or such person or persons as he shall have empowered for the purpose, to employ such part of the land or naval forces, or militia of the United States as may be deemed necessary, for the purpose of preventing the removal of such vessel or cargo, and protecting the officers of the Customs in retaining the custody thereof.

The House adjourned to Monday, Jan. 7th,

In the Senate, Thursday, Mr. Baker concluded his speech before a very crowded house. Prior to its delivery, Mr. Bigler presented a numerously signed memorial from Philadelphia, asking for the passage by Congress of the Crittenden resolutions, as referred to the Committee of Thirteen. Mr. Bigler said, if the people could only act on the question, the South would see that the *people* were prepared to meet its complaints in a conciliatory and kindly spirit. To attain this end, of a reference of the question of settlement *direct to the people*, Mr. Crittenden introduced the following propositions:

Whereas, the Union is in danger, and it is difficult, if not impossible, for Congress to concur

Mr. Crittenden's
New Propositions.

by the requisite majority so as to enable it to take such measures to recommend to the States such amendments to the Constitution as are necessary to avert the danger.

Whereas, In so great an emergency the opinion and judgment of the people ought to be heard, Therefore

Resolved, That provision be made by law, without delay, for taking the sense of the people, and submitting to them the following resolution:

Whereas, Alarming dissensions have arisen between the Northern and Southern States, as to the rights of the common Territory of the United States,

Mr. Crittenden's
New Propositions.

and it is eminently desirable and proper that the dissensions be settled by the Constitutional

provision which gives equal justice to all sections, and thereby restore peace; therefore

Resolved, That by the Senate and House of Representatives, the following article be proposed and submitted as an amendment to the Constitution, which shall be valid as part of the Constitution, when ratified by the Convention of three-fourths of the people of the States:

First, In all the Territories now or hereafter acquired north of lat. 36 deg. 30 min. Slavery or involuntary servitude, except for the punishment for crime, is prohibited; while in all the Territory south of that latitude Slavery is hereby recognized as existing, and shall not be interfered with by Congress, but shall be protected as property by all departments of the Territorial Government during its continuance. All the territory north or south of said line, within such boundaries as Congress may prescribe, when it contains a population necessary for a Member of Congress, with a republican form of government, shall be admitted into the Union on an equality with the original States, with or without Slavery, as the Constitution of the State shall prescribe.

Second, Congress shall have no power to abolish Slavery in the States permitting Slavery.

Third, Congress shall have no power to abolish Slavery in the District of Columbia while it exists in Virginia and Maryland, or either; nor shall Congress at any time prohibit the officers of the Government or Members of Congress, whose duties require them to live in the District of Columbia, from bringing slaves there or holding them as such.

Fourth, Congress shall have no power to hinder the transportation of slaves from one State to another, whether by land, navigable rivers or sea,

Fifth, Congress shall have power by law to pay an owner who shall apply the full value for a fugitive slave in all cases when the Marshall is prevented from discharging his duty by force or rescue made after arrest. In all such cases, the owner shall have power to sue the county in which the violence or rescue was made, and the county shall have the right to sue the individuals who committed the wrong in the same manner as the owner could sue.

Sixth, No further amendment or amendments shall affect the preceding articles, and Congress shall never have power to interfere with Slavery in the States where it is now permitted.

The last resolution declares that Southern States have a right to the faithful execution of the law for the recovery of slaves; and such laws ought not to be repealed or amended so as to impair their efficiency. All laws in conflict with the Fugitive Slave law it shall not be deemed proper for Congress to ask

the repeal of. The Fugitive Slave law ought to be so altered as to make the fee of the Com-

missioner equal, whether he decides for or against the claimant; and the clause authorizing the person holding the warrant to summon a *posse comitatus*, to be so as to restrict it to cases where violence or rescue is attempted. The laws for the suppression of the African Slave-trade ought to be effectually executed.

In submitting this second proposition for settlement, Mr. Crittenden said something *must* be done to avert the impending calamity. Congress would be covered with shame if it did not offer to the country some remedy for the crisis. The sacrifice asked for really was comparatively trifling. The peace and safety of a great country were never purchased so cheaply. He would appeal with confidence to the people. They have the greatest interest in the government. He had confidence that the people would give good advice. The resolutions were laid over, when Mr. Baker, having the floor, resumed his speech. He insisted that the attack on the men of the North, for action in regard to the Territories, was unjust, for men of all classes in the North believed Slavery the creature of local law. He quoted from Gen. Cass's speech at Detroit, in 1854, against the so-called doctrine of equality. Also from that of Senator Hunter before the Breckenridge Club, at Charlottesville, admitting that the opinion of the South, in regard to Slavery, had changed, and that her opinion was against the repeal of the Missouri Compromise, and for the extension of the system. Mr. Hunter and Mr. Benjamin both interrupted him whilst speaking. Mr. Benjamin making important admissions, as, for instance, that he did not complain of Congress, but of the States. He said that it was cause for dissolution that the Republican party *intended* to surround the Slave States with Free States, and thus force emancipation. This admission reduced the entire catalogue of complaints into a *prospective* danger. It had much effect upon the Senate, and strengthened the sentiment of the Republicans against concession, on the Territorial question.

Mr. Crittenden's
New Propositions.

Mr. Baker's Speech,
concluded.

Mr. Baker replied to these admissions, that it was a necessity for Slavery in America to be circumscribed by Free States to the North

Mr. Baker's
Speech.

and West. If the institution was guaranteed the rights of extension, it would be against not only the sentiment of the large majority of the American people, but also against the sentiment of the world. He claimed that the North were allies of the South, and that they were bound to return slaves. France, England or Russia would not do that. If the slaves should revolt the North would be bound to assist the South, and would do it. He argued that the right of free speech could not be controlled in a free country, or a free press, which was a greater safeguard to a free country. He would not restrict these to avert civil war, or, maintain Slavery. The great principle of free Government would not be surrendered. Come weal come woe, Slavery shall never be extended by the powers of the Government of the United States. He would not yield one inch to secession, but there were things which he would yield, among them the repeal of the Personal Liberty bills, should the Supreme Court pronounce them unconstitutional. Mr. Clay had said, and he would say, yield not one inch or word to secession. He would agree to make all the Territories States now, and let the people decide on Slavery, but he would never agree to protect Slavery in the name of Freedom. Referring to power, he said: Didn't it look a little as though, because the South had lost the offices, they had got up this rebellion? He said, after all, he had great confidence in the loyalty of the people at the South. He heard loyal sentiments everywhere, and could see the clouds breaking, and he was not without the hope that, with time to allow the feverish heat to evaporate, the Union would yet remain safe, if trusted to the hands of the people. The Senator from Louisiana had said that a State actually had seceded, and we must acknowledge its independence, or make war. He said he would not acknowledge its independence, and said he thought it no very strange thing if a great Government had sometimes to enforce law. He quoted the ordinance of General Jackson in regard to collecting the revenue when South Carolina once before revolted, as an answer to the Senator from Louisiana, when he asked how we would col-

lect the revenue: "And above all let the laws be maintained, and the Union be preserved." He closed with the words of Webster's speech in reply to Hayne.

We have given this reply of the Oregon Senator to Mr. Benjamin's speech quite at length, for the reason that it so freely expounded the Republican view of the points raised, and forced upon the country, by the South. The reply had a large circulation among the people, and quite generally commanded the approval of the speaker's party for its manner and matter.

Mr. Douglas then having the floor, asked that the report of the Committee of Thirteen be taken up. He said that he adverted to that report with as great pain as any act of his life had caused. The Committee could not agree. In order to see why no plan of compromise could be adopted, it would be necessary to go back to the late election. He said the Mr. Douglas' Speech. history of the country proved that all agitation on the subject of Slavery followed its introduction into Congress for legislation. The compromises had, for their purpose, to keep the question out of Congress, and, so long as that was done, there was peace. The result of the recent election had brought the South face to face with an issue which was driving it from the Union. He said:

"It is folly for any man not to see facts which do exist. The result of the recent election, in connection with all the circumstances with which it is surrounded, have led the people of the South to form the conviction that it is a fixed policy of the dominant party of the North to invade and destroy their constitutional rights, and they are ready to rush, rashly I think, into all the horrors of revolution and disunion, rather than to submit to what they think the impending blow which hangs over them. * * * The harshest thing I have said of the Republican party was that they intended to use the power of the Government with a view to the ultimate extinction of Slavery, not only in the Territories, but in the States of the Union, I have said, and have believed it, and I would rejoice now to be corrected, that it is the policy of this party to prohibit Slavery in all the Territories of the United States, now owned, or hereafter acquired, with a view to surrounding the Slave States with a cordon of Abolition States, and thus keep Slavery confined till the number increases beyond the capacity of the soil to feed them, and

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Speech.

thus force them to die of starvation, as a means of getting rid of the evil of Slavery in the name of humanity and Christianity. I have said that in Illinois, in the Abolition portions of the State, but never said it in a Slave State. I have always been exceedingly mild in speaking of that party in the Slaveholding States. But, inasmuch as I did not get a direct answer from the Senator who makes the charge against the Northern Democracy, I will refer to the sentiments of the President-elect, and see what he says on that subject.

Mr. Douglas then referred to the report of the speeches of Mr. Lincoln, in his canvas of Illinois, in 1858, against Mr. Douglas, quoting from his several declarations on the question of Slavery in the Territories [See pages 141, 142]. He then continued:—

“When the Republican Committee publish an edition of Mr. Lincoln's speeches containing sentiments like these, is it surprising that the people of the South think he was in earnest, and intended to carry out the policy which he then announced? I should not revive such revolutionary sentiments, but for the attempt to cast the responsibility upon the Northern Democracy, clearly intimating that Mr. Pugh and myself were the chief authors of these misrepresentations. I would like to find any one man, on that side of the Chamber, in the confidence of the President-elect, who would deny that it is the policy to carry out the very things to which I have referred. I feel bound, however, and take pleasure in saying, that I don't believe the Southern States are in any danger, or ought to have any apprehension, that Mr. Lincoln or his party can do any harm or render insecure their rights to persons or property anywhere in this country. I have some faith, too, that Mr. Lincoln, after having emerged from the surroundings of a small country village, and assumed the high responsibilities of administering the law, and protecting the rights of a great nation, will sink the partisan in the patriot, and abandon the extreme doctrines, and step forward and avow his willingness to save the country by repudiating the extreme doctrines of a party. But be that as it may, neither he nor his party will have power to invade the rights of any State in this Union. * * * * *

In the name of the Union, who are the Disunionists? Those who pursue a line of policy calculated to destroy the Union, and refuse to arrest that policy, or disavow that purpose, when they see that revolution has taken place. If such be not your policy, why not say so? If you never intend to do what the South think is your purpose, and which you do not blame them for thinking, what harm is there in making such amendments to the Constitution as will ren-

der it impossible for you to do so? But we are told that the Union must be preserved, and

law must be enforced. I agree to that. I am in favor of doing all these things, according to the Constitution and the laws. No man will go further than I to save the Union and enforce the laws, to put down rebellion and insurrection, and to use all the power conferred by the Constitution for that purpose. But we must look the facts in the face. We must take notice of those things whose existence cannot be denied. History teaches us that rebellion often becomes successful; revolution and the greatest republics and proudest monarchies have found it necessary to recognize the existence of a Government *de facto* in the rebellion of States and provinces. Such was the condition of the American colonies for seven years after the Declaration of Independence. At first, it was rebellion, and rebellion was treason. A few months afterward, it was revolution and a Government *de facto* at Philadelphia, Mr. Hancock, President, and Washington, Commander of the Armies. Rebellion had ceased, and revolution taken its place. The American colonies were in revolt, had Governments *de facto*, and Great Britain, proud as she was, was compelled to recognize the existing state of facts. The laws of nations and all the laws of civilization demanded that the Government *de facto* be acknowledged. But the laws must be enforced. In our system of Government the laws are to be enforced by civil authority, assisted by the militia and *posse comitatus*, when the Marshal is resisted. If the colonies, or a State, revolt, the revolution is complete when the Federal authorities are expelled, and no one man left to acknowledge allegiance to the United States. How are you going to enforce the laws then? How are you going to do it in South Carolina? She has passed an ordinance of secession. I deny her right to secede, but she has done it. The revolution is complete. She has no human being in her borders to acknowledge our authority. This is all wrong, but how are you going to help it? * *

“I deny that we have the right to make war in order to regain possession, in order to enforce the laws. Are we prepared for war? I do not mean prepared in the sense of having soldiers, arms, and munitions; but are we prepared in our hearts for war with our brethren? While I affirm that the Constitution was intended to form a perpetual Union—while I affirm the right to use all lawful means to enforce the laws—yet I will not meditate war, nor tolerate the idea, until after every effort at adjustment has been tried and failed, and all hope of the Union is gone. Then, and not till then, will I deliberate and determine what course my duty will require of me. I am for peace, to save the Union. War is disunion, certain, inevitable, final, and irre-

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versible. Our own very existence forbids war. He referred to the purchase of Louisiana, and said it was purchased for the benefit of the whole Union, and for the safety of the Upper Mississippi in particular. The possession of that river is more necessary now than it was then. We cannot expect the people of the interior to admit the right of a foreign State taking possession of that river. He also referred to the purchase of Florida and the amounts paid, and asked if she could go out now. The President, in his message, first said we could not coerce a State to remain in the Union, but in a few sentences he advised the acquisition of Cuba. As if we should pay \$300,000,000 for Cuba, and then the next day she might secede and re-annex herself to Spain, and Spain sell her again. He had admitted that Texas cost us a war with Mexico, and 10,000 lives; and, besides, we had paid Texas \$10,000,000 for land which she never had owned! * * * * *

In his opinion, we had reached the point when disunion was inevitable unless a compromise, founded on concession, can be made. He preferred compromise to war, and concession to disunion. No compromise would be available which does not carry the question of Slavery beyond Congress. He said he had voted for the proposition of the Senator from Kentucky (Mr. Crittenden's), and was ready to vote for it again. Why cannot the Republicans unite on the Missouri Compromise line? They had heaped curses enough on his head for repealing it, to be glad now to reestablish it. He had helped to support that measure until he was compelled to abandon it. He was willing to meet on terms of mutual concession. He had offered another proposition to leave the Territories in *statu quo* till they have 50,000 inhabitants, and then settle the question themselves; and also provided for the removal of the negroes, if the Territory chose, to certain provinces. If the Republicans do not intend to interfere with Slavery in the States, why not put in an amendment in the Constitution, so that they cannot do it. There must be a settlement of some sort now. It cannot be postponed. We are in a state of revolution. It is compromise or war. He preferred compromise. * * It humbles my pride to see the authority of the Government questioned, but we are not the first nation whose pride has thus been humbled. Republics, empires, and kingdoms alike, in all ages, have been subject to the same humiliating fact. But where there is a deep-seated discontent pervading ten millions of people, penetrating every man, woman, and child, and involving everything dear to them, it is time for inquiring whether there is not some cause for this feeling. If there be just cause for it, in God's name let us remove it. Are we not criminal, in the sight of Heaven and posterity, if we do not remove the just cause? If there is no cause, and yet they

believe there is, so much the greater the necessity for removing the misconception. Are you so elated with the pride of your recent triumph, or pride of opinion, that you cannot remove an unfounded apprehension, when it is rushing ten millions people into disunion, and breaking up the Government of our fathers, and leaving us, hitherto a proud Republic on earth, to become a byword among the nations? I still entertain the hope that this question may be adjusted, although the indications are that blood will be shed, and war will rage before gentlemen fully appreciate the crisis through which we are passing. I don't think my nerves are any weaker than ordinary, nor do I think there is much courage in shutting the eyes in the face of danger, and then saying you do not see it. Every man must see it, and hear it, and breathe it. The atmosphere is full of it. I have determined that I will do all that is in my power to rescue the country from such a dreadful fate. But I will not consider this question of war till all hope of peaceable adjustment fails. Better, a thousand times better, that all political armies be disbanded and dissolved. Better that every public man now in existence be consigned to retirement and political martyrdom, than this Government should be dissolved, and this country plunged in civil war. I trust we are to have no war for a platform. I can fight for my country, but there never was a political platform that I would go to war for. I fear if this country is to be wrecked, it is to be done by those who prefer party to their country. Party platforms, and pride of opinion, and personal consistency, are the only causes in the way of a satisfactory adjustment of this difficulty. I repeat that, notwithstanding the gloom and the dark clouds which overhang everything, I do not despair of the Republic, and I will not despair till every effort shall be found to be of no avail."

This speech commanded unusual remark. To the Republicans it was disconcerting, because it, in effect, threw the onus of the disunion movement upon them, and proceeding from the leader who had received over thirteen hundred thousand votes for President, it could but be construed as indicative of a strong public sentiment in the North in favor of compromise, and opposed to coercion.

Mr. Toombs obtained the floor, when the Senate adjourned over to Saturday.

During the Saturday's session Mr. Mason of Virginia offered a resolution of inquiry, that the Secretary of War give the

Mason's Resolution of Inquiry.

Senate a copy of any orders issued from the department to the officers commanding the fortifications in South Carolina since November 1st; also, a copy of any plans or recommendations relative to increasing the forces, or otherwise, in the forts and arsenals in Virginia, or in any of the States of the

South, by the commanders-in-chief, and if any action or order was issued in pursuance thereof. Laid over. The day was consumed in considering the Pacific Railway bill. Mr. Toombs, therefore, deferred his speech until the Monday's session.

CHAPTER V.

ATTITUDE OF THE NORTHERN AND BORDER STATES IN JANUARY. THE FIRST BUGLE NOTES OF ALARM.

THE revolution had progressed, up to January 1st with no further protests than came from individuals and meetings of citizens in Northern States. With the convention of the State Legislatures, however, there came a louder and more authoritative testimony to the Union and the laws. State after State gathered in council, and but one spirit seemed to animate every Free Commonwealth—that of a determined resistance to the revolutionary scheme. One after another they came into line, like ponderous frigates, to show their armaments and their sides of steel, with which to uphold the cause of the Constitution and the stability of the Government.

The "Empire State," vast
New York. in her resources, steadfast
in her patriotism, loyal in
her duty, met the crisis as became her honor. Upon the first day of the Legislature's Session Mr. Spinola introduced, and had referred to a Special Committee of Five, January 3d, the following:

"Whereas, Treason, as defined by the Constitution of the United States, exists in one of the States of the Confederacy, and

"Whereas, It is the religious as well as the patriotic duty of each State in its sovereign capacity, as well as that of each citizen, to make every necessary sacrifice for the preservation of the Union of States, as they were united by Washington and his associates, and

"Whereas, The State of New York is now, as it ever has been, and ever will be, unalterably and un-

compromisingly in favor of the Union as it is, therefore

"Resolved, (if the Assembly concur), That the Governor be and hereby is directed, in the name of the State of New-York, to tender to the President of the United States the services of the militia of the State, to be used in such manner and at such times as the President may deem best to preserve the Union and enforce the Constitution and laws of the country.

"Resolved, That the Committee on Military Affairs be and are hereby directed, to inquire into the condition, efficiency, and available strength of the military force of the State and to report to the Senate at the earliest practicable day, what legislation, if any, is necessary to render that branch of government fully effective for any exigency that may arise; and if requisite that the said Committee report a bill to raise \$10,000,000 to properly arm the State."

The "Old Bay State"
sent forth her clarion notes Massachusetts.
as soon. Her Legislature
assembled January 2d. The President of the Senate said, in his opening address:—

"While we meet under circumstances auspicious in our own State, a deep agitation pervades other parts of our country, causing every true patriot to feel the greatest anxiety. Disunion is attempted in some States, because, as is alleged, laws have been passed in others contrary to the Constitution of the United States. Massachusetts is accused of unfaithfulness in this matter in some of her enactments, although she has always been ready to submit to judicial decision, and is so still. She has ever regarded jealously the liberty of her citizens, and I trust ever will. We cannot falter now without disgrace and

dishonor. Whatever action we may take, let us be careful of the rights of others, but faithful to our trusts, that we may return them to our constituents uninjured."

The Speaker of the House uttered substantially the same sentiments. Governor Banks delivered his valedictory address, January 3d. He took open and unequivocal ground against secession, saying that the north *never* would permit the keys of the continent to pass into the hands of an enemy. He urged an attitude of preparation for any emergency.

Governor Andrews, the incoming Governor, was even more alive to the crisis than the Legislature. In him the cause of the Union found a worthy sentinel.

The "Keystone State"

Pennsylvania. was first, however, in the field. Her Legislature assembled Jan. 1st, Almost immediately upon coming together, Mr. Smith, of Philadelphia, offered in the Senate a resolution and preamble, reciting that South Carolina has passed an ordinance nullifying the laws of the United States, and declaring that their allegiance to the Union is dissolved; and says that Pennsylvania is willing to pass laws necessary for the redress of real grievances of any sister State, if found to exist; proclaims an ardent desire to cultivate friendly relations with sister States; avows adhesion to the doctrines of Jackson's proclamation; and willing to contribute men and money for the preservation of the Union; a copy of the resolutions, authenticated under the seal of the Commonwealth, to be sent to the President, and Governors of States. This was referred to a Committee of Five, which entered, at once, upon duty. Gov. Packer's Message was delivered January 2d. It was proudly Union in its tone—declaring secession to be rebellion, which, if unsuccessful, would be punishable as treason. He said that Pennsylvania was devoted to the Union and would follow the stars and stripes through every peril, adding, in conclusion: "But before assuming the responsibilities that are foreshadowed, it is the solemn duty of Pennsylvania to remove every just cause of complaint so that she can stand before high Heaven without fear and without reproach; and then she was ready to devote her lives and fortunes to the best form of

government ever devised by the wisdom of man." Gov. Curtin had yet to speak.

The "Wolverines" were
awake for the peril and ready for duty. The Michigan.

The Michigan Legislature assembled January 2d. The retiring Governor, in his Annual Message, took an imperative stand against the right of secession; charged the President with intentional misrepresentation of the principles and aims of the Republican party, and attributed the sectional excitement to misrepresentation by the Northern Democratic press of the designs of the dominant party. If the Personal Liberty laws are unconstitutional, repeal them; but they are *not* unconstitutional,—they speak the sentiments of the people,—are in accordance with the Constitution, and ought not to be repealed. Let them stand! This is no time for timid and vacillating counsel, while the cry of treason is ringing in our ears!" The Message of Governor Blair, the incoming Governor, was also decided in its tone against secession. The abstract reads:—

"He denies that the Personal Liberty Laws have had the effect to prevent the execution of the Fugitive Slave law, in a single instance, but whenever an appeal has been made to the courts to enforce that law, it has been done in good faith. He invites judicial scrutiny into the legislation of the State, and is willing to abide by the result, but is not willing that the State should be humiliated by compliance with the demand to repeal these laws, accompanied by threats of violence and war. He concludes by recommending that, at an early day, the Legislature make it manifest to our representatives in Congress and to the country, that Michigan is loyal to the Union, the Constitution and the laws, and will defend them to the uttermost, and to proffer to the President of the United States the whole military force of the State for that purpose.

Then came tidings from
the forests of Maine. The Maine.
Legislature of that State
convened January 2d. Governor Washburne's message ably reviewed the history of the Slavery question, declaring that the authors of the Government designed that the institution *should perish*, and that the dogma of its right of extension and protection was only of recent invention. "Slavery was the child of municipal law—local, sectional, not

national. If there is one fact that stands out stronger, clearer, and more indisputable than any other in our history, it is this. There is the record—it cannot be blotted out—it cannot be burned out—it remains forever." Adverting to the Personal Liberty laws he said, they are designed as beneficent and necessary provisions, to prevent kidnapping or illegal removal, and to bring their line of action into entire harmony with the line of Constitutional power and obligation, laid down by the United States Supreme Court, in the case of *Prigg vs. the State of Pennsylvania*. If, however, such laws are unconstitutional, repeal them; allow no stain on the faith and devotion of the State to the Constitution and the rights of the States. As to the concessions demanded by the South, he said:—

"The concessions, for the most part, which are now demanded from the Free States, as the terms upon which the people of this country are to be allowed to govern themselves, under the Constitution, are wholly inadmissible, not merely that they are objectionable in themselves, but because they have been made such terms. To grant them would be to establish a precedent of incalculable mischief and danger, through which would be wrought, at no distant period, a practical subversion of the Constitution, and a transfer of the government from the hands of the many to the power of the few."

Of secession he said:—

"There is no such right in the Constitution; the President cannot permit it; Congress cannot grant it; the States cannot concede it, and only by the people of the States, through a change of the Constitution, can it be conferred. The laws, then, must be executed, or this, the best, because the freest and most beneficent government that the world has ever seen, is destroyed.

He gave the State's pledge to support the cause of the Union, with all its power, resources and moral strength.

Governor Hicks, under date of January 6th, published an address to the citizens of Maryland, setting forth his reasons for refusing to convene the Legislature. Among other things he said:

"That Maryland is a conservative Southern State all know who know anything of her people or her history. The business and agricultural classes—planters, merchants, mechanics, and laboring men—those who have a real stake in the community, who

would be forced to pay the taxes and do the fighting, are the persons who should be heard in preference to excited politicians, many of whom, having nothing to lose from the destruction of the Government, may hope to derive some gain from the ruin of the State. Such men will naturally urge you to pull down the pillars of this 'accursed Union,' which their allies at the North have denominated a 'covenant with hell.' The people of Maryland, if left to themselves, would decide, with scarcely an exception, that there is nothing in the present causes of complaint to justify immediate secession; and yet, against our judgments and solemn convictions of duty, we are to be precipitated into this revolution, because South Carolina thinks differently. * * * The men who have embarked in this scheme to convene the Legislature will spare no pains to carry their point. The whole plan of operations in the event of the assembling of the Legislature is, as I have been informed, already marked out, the list of Ambassadors who are to visit the other States is agreed on, and the resolutions which they hope will be passed by the Legislature, fully committing this State to Secession, are said to be already prepared."

Hon. Henry Winter Davis, Member of the United States House of Representatives, from Baltimore, published an Address to his constituents, January 2d. It was a powerful appeal against the calling of the Legislature. He also opposed the calling of the proposed "Border State Convention," to assemble in Baltimore. Every project which was *extra-constitutional* was, therefore, *unconstitutional*. The *whole* people, and *all* the States must act to give a Convention validity. He still hoped for settlement by compromise.

The Virginia Legislature assembled, in extra session, Virginia.
January 7th. Gov. Letch-

er's message was condemnatory of immediate secession; he proposed that all Constitutional remedies be exhausted before committing the State to the step of withdrawing from the Union. His scheme of settlement was thus stated:—

"He opposes a State Convention at this time, and suggests, first, that a Commission of two of the most discreet statesmen visit the Legislatures of the States which have passed Personal Liberty bills and insist on their unconditional repeal, except the New England States; second, we must have proper and effective guarantees for the protection of Slavery in the District of Columbia; third, our equality in the States and Territories must be fully recognized, and

the rights of person and property adequately protected and secured ; that we must be permitted to pass through the Free States and Territories unmoled, and if a slave be abducted the State where it is lost must pay its value ; fourth, like guarantees that the transmission of slaves between the Slaveholding States by land or water shall not be interfered with ; fifth, the passage and enforcement of right laws for the punishment of such persons in the Free States as organize, or aid and abet in any mode whatsoever, in organizing companies with a view to assail the Slaveholding States, and to incite the slaves to insurrection ; sixth, the General Government to be deprived of the power of appointing to local offices in the Slaveholding States persons hostile to their institutions or inimical to their rights."

Notwithstanding this "moderate view" of the Governor, the Legislature, like new converts, was rife for hasty action. Prior to its assemblage, a bill calling a convention, February 18th, had been prepared, and was introduced as one of the first measures of the session. Also, the question of military defense was quickly referred to a Special Committee. A resolution to appropriate *ten millions* of dollars for defense was referred with little opposition to the same committee, which, it was understood, would report affirmatively in two or three days. A joint resolution was introduced on the 9th to appoint a commission to the President to represent that, "in the judgment of the General Assembly of Virginia any additional display of military power in the North will jeopardise the tranquility of the Republic ; and that the evacuation of Fort Sumter is the first step that should be taken to restore harmony and peace."

It would appear that the Legislature was fully up to the revolutionary point. Could that body have acted on the question, so wild was its zeal for the repudiation of its ancient honor that the ordinance of secession would have received its engrossing seal by January 10th. Treason, and the infamous programme of treason, were betrayed in almost every act considered by the Legislature. The Northern and Western members were almost powerless before the effrontery and madness of the members from the Southern and Eastern sections of the State. The glitter of a New Dominion was before their eyes, in which the prestige and renown of the Old Dominion

should be restored—in which wealth would crown every owner of slaves—in which manufactures and commerce would teem from her shores and upon her streams—while Washington, deserted as a capital, would give its magnificent buildings to be "consecrated to the Genius of Southern Institutions." The wise counsels of Amos Kendall, the clear logic and sturdy faith of John Minor Botts, the rights and wishes of the Union men from beyond the Blue Ridge and along the Potomac—all were as powerless before the baleful breath of Floyd, Mason and Henry A. Wise, as the guide over the wide desert before the fierce sirocco. If the State became a battlefield, and her fair estates were laid desolate, she courted her fate by the willing abasement of her degenerate leaders' before the wheels of South Carolina's chariot of fire.

The Tennessee Legislature came together January 7th. The Governor's message advised that the question of calling a Convention be submitted to the people. He thought the remedy for present evils to exist only in constitutional amendments. In event of their non-passage, Tennessee, he asserted, must maintain her equality in, or independence out of, the Union. He recommended the organization of the State military, and the immediate purchase of arms. The Central and Eastern sections of the State, it was certain, were truly loyal to the Union, but it soon became apparent that a few men were to lead the State into the vortex of disunion, against the will of her best citizens.

Governor Dennison of Ohio addressed the Legislature of that State, January 8th. His position was one of stern purpose to sustain the cause of the Constitution and the Union. In his message he uttered these words :—

"We desire most ardently the restoration of affection and harmony to all its parts. We desire that every citizen of the whole country may look to this Government with no other sentiments but those of grateful respect and attachment. But we cannot yield, even to kind feelings, the cause of the Constitution, the true glory of the country, and the great trust which we hold in our hands for succeeding ages. If the Constitution cannot be maintained without meeting these scenes of commotion and con-

test, however unwelcome, they must come. We cannot, we must not, we dare not, omit to do that which, in our judgment, the safety of the Union requires. Not regardless of consequences we must yet meet consequences; seeing the hazards which surround the discharge of duty it must yet be discharged. For ourselves, we shun the responsibility in attempting to maintain the cause. We are tied to it by indissoluble bands of affection and duty, and we shall cheerfully partake in its fortunes and fate. We are ready to perform our own appropriate part whenever the occasion may call on us, and to take our chance among them upon whom blows may fall first and fall thickest. We shall exert every faculty we possess in aiding to prevent the Constitution from being nullified, destroyed, or impaired, and even should we see it fall, we will still, with a voice as earnest as ever issued from human lips, and with fidelity and zeal which nothing shall extinguish, call on the people everywhere to come to its rescue."

Relying on the patriotism of the people, and on Divine aid, for the protection of the Union, Ohio calmly awaits the exigencies of the future. The Legislature immediately set about meeting its military organization, and, at an early moment, provided "its millions for defence."

The Legislature of Missouri convened December 31st. The Commissioner

of Alabama addressed the members, on the evening of Dec 29th, preaching his secession heresies to a patient but not pliant audience.

January 3d, the retiring Governor, Stewart, sent in his message. Its tone was decidedly belligerent toward the North, but he deprecated secession. It was no remedy for the evils under which Missouri suffered. The abstract of his message read:—

"Missouri will hold to the Union so long as it is worth the effort to preserve it. She cannot be frightened by the past unfriendly legislation of the North, or dragged into secession by the restrictive legislation of the extreme South. The Governor denies the right of voluntary secession, and says that it would be utterly destructive of every principle on which the national faith is founded; appeals to the great Conservative masses of the people to put down selfish and designing politicians, to avert the threatened evils, and closes with a strong recommendation to adopt all proper measures for our rights; condemns this resort to separation; protests against hasty and unwise action, and records his unalterable devotion to the Union, so long as it can be made the protector of equal rights."

The incoming Governor, Jackson, delivered his inaugural message, January 4th. In him the Secessionists found a pliant instrument, and it became evident to all that his purpose was to link the State to the car of revolution. He advised to call a convention of Southern States to propose terms of settlement with the North; also, to call a State Convention, to consider State action in the crisis.

The Legislature of Delaware came together January 2d, when it was addressed by the Commissioner from Mississippi, who proposed to the members the adoption of a plan of cooperation with the Slave States. The reception tendered this missionary of secession may be inferred from the following resolutions, which passed both Houses the same day (January 2d):—

Resolved, That having extended to the Hon. H. Dickenson, Commissioner from Mississippi, the courtesy due him as a representative of a sovereign State of the Confederacy, as well as to the State he represents, we deem it proper, and due to ourselves and the people of Delaware, to express our unqualified disapproval of the remedy for the existing difficulties suggested by the resolutions of the Legislature of Mississippi."

The people and the Legislature were true to the Union, and the Governor was also regarded as loyal. In his Message, he said:

"The cause of all the trouble is the persistent war of the abolitionists upon more than two billions of property; a war waged from pulpits, rostrums, and schools, by press and people—all teaching that Slavery is a crime and a sin, until it has become the opinion of a large portion of one section of the country. The only remedy for the evils now threatening is a radical change of public sentiment in regard to the whole question. The North should retire from its untenable position immediately."

The Illinois Legislature assembled January 7. Governor Wood declared firmly for the Union and the maintenance of the laws. In view of the necessity of all the States to hold themselves blameless in the unhappy division existing among their Southern confederates, he said:—

"If grievances to any portion of our Confederation have arisen within the Union, let them be redressed within the Union. If unconstitutional laws trenching upon the guaranteed rights of any of our Sister

States, have found place upon our statute books, let them be removed. If prejudice and alienation toward any of our fellow-countrymen has fastened upon our minds, let it be dismissed and forgotten. Let us be just to ourselves and each other, allowing neither threats to drive us from what we deem to be our duty, nor pride of opinion prevent us from correcting wherein we may have erred."

He recommended a complete reconstruction of the military system and that the most liberal encouragement be given for the formation of volunteer companies in all branches of the army service. "Speaking not merely for himself, but reflecting what he assumes to be the voice of the whole people of Illinois, irrespective of party, as it reaches him from all quarters, he adopts the sentiments of President Jackson—"The Federal Union: it must be preserved"—to which sentiments he trusts the Legislature will give emphatic expression at an early day." With such expression, Illinois, the "Prairie State," has proved that she was as rich in her patriot-

ism as in her soil and exhaustless resources. With a free white population *exceeding* that of South Carolina, Georgia, Florida, Mississippi, and Louisiana all together, her position was only second in importance to that of the great Middle States.*

Gov. Yates, the incoming Governor, of Illinois, in his Message of the 14th, made the following points of policy: That an 'irrepressible conflict' did exist between the Slave and the Free States, but it does not necessarily disturb the relations of the States: that secession is revolution which the whole power of the Government must be exerted to suppress: that the great North and West will never allow the free navigation of Mississippi river to be impeded, &c., &c. The Governor referred to Mr. Douglas as true to the Constitution, and avowed his conviction that the people, without distinction of party, were ready to defend the Union against any and all efforts to break it up.

CHAPTER VI.

PROGRESS OF THE REVOLUTION IN SOUTH CAROLINA. ADJOURNMENT OF THE CONVENTION.

THE South Carolina Convention continued its organic labors; but we need not refer in detail to the various ordinances and laws put upon her statute books. It will only be necessary to take cognizance of the legislation affecting the *status* of the revolution. An ordinance, signed December 31st, prescribed the oaths of abjuration and of allegiance as follows:

"1st. I solemnly swear or affirm that I do renounce and forever abjure allegiance and fidelity to every prince, potentate, State, or sovereignty whatsoever, except the State of South Carolina.

"2d. I do swear or affirm that I will bear faithful and true allegiance to the State of South Carolina so long as I may continue a citizen thereof."

Commissioners were elected to the several States proposing to form a Confederacy, to advance the scheme of consolidation. Their names were as follows:—To Florida, L. W. Spratt; to Alabama, N. P. Calhoun; to Mississippi, Armistead Burt; to Arkansas, A. C. Spain; to Georgia, James L. Orr; to Texas, John McQueen. These persons left almost immediately for their several fields of duty. The Committee's report and resolution, under which they acted, suggested that the Constitution of the United States be submitted as the basis of the provisional con-

Steps to form a Confederacy.

* For interesting tables of the comparative population of the States, see pages 27-28.

federation. The 3d and 4th sections of the report read :

"That the said Commissioners shall be authorized to invite the Seceding States to meet in Convention, at such time and place to be agreed upon, for the purpose of forming and putting the motion for such Provisional Government, so that the said Provisional Government be organized to go into effect at the earliest period previous to the 4th of March, 1861. The same Convention of Seceding States shall proceed forthwith to consider and propose a Constitution and plan of permanent government for such States, which proposed plan shall be referred back to the several State Conventions for adoption or rejection.

"That the eight deputies elected by ballot in this Convention be authorized to meet the deputies of other Slaveholding Seceding States of the Federal Union, for the purpose of carrying into effect the foregoing resolutions. It is recommended that each of the said States be entitled to one vote in the said Convention upon all questions, and each State to send so many deputies, equal in number to the Senators and Representatives she is entitled to in the Congress of the United States."

New Executive Departments.

The new order of Government [see page 113.] embraced a division of the executive into departments somewhat similar to the Cabinet of the President. On the 4th, the Governor announced these departments and appointments as follows :—

"*First: The State Functions.*—Assistance of the Governor, with the exercise of his powers as now delegated, and more especially in his intercourse with the States; also arrangements with foreign powers, as in the appointment of Consuls, negotiation of treaties, and formation of regulations for commerce. For this I appoint the Hon. A. J. Ma-grath.

"*Second: The Law and War Object.*—For the supervision of matters relative to the condition of hostilities, the management of the military, the disposition of the troops, to receive the different ordinances of the Convention and acts of the Legislature, and as to the management of the troops in actual service, I appoint General D. J. Jamison.

"*Third: The Treasury Jurisdiction.*—The supervision of matters connected with the fiscal relations of the State, practical details, in the raising of funds provided for by any ordinance of the Convention and acts of the Legislature, not especially transferred to some of the other departments, I appoint the Hon. C. G. Memminger.

"*Fourth: The Post-office Functions.*—Indicated by

name, including therein so much of the collection of the customs as relates to light-houses, buoys, and matters of that nature, I appoint General W. W. Hartee.

"*Fifth: Interior.*—The direction of local matters within the State, including the militia and coast police, I appoint General A. C. Garlington."

The Convention (January 4th,) appointed delegates to the *General Congress of the Seceding States*, as follows: The Hons. T. J. Withers, L. M. Keitt, W. W. Bezee, James Chesnut, Jr., R. B. Rhett, Jr., R. W. Barnwell, and C. G. Memminger.

The fortifications of the harbor began rapidly to assume shape early in January. The appointment, by Mr. Buchanan, of Mr. McIntyre, of Philadelphia, to be Collector at Charleston, in place of Calcock, who was paying over his revenues to the State, was before the Senate for confirmation. As soon as that confirmation could be obtained, it was the purpose of the Administration to send him to Charleston on the armed steamer *Harriet Lane*, from which he should proceed to collect the revenues of the port. To provide against such an "invasion," the State hastened to throw up batteries at several points commanding the entrances to the port. Buoys and ranges were removed, and the lights suppressed. It was the positive determination of the authorities to allow no floating Custom-house in the harbor, nor to suffer a Federal Government vessel to enter their waters for any purpose whatever. As the Southern Senators, aided by a few Northern Democrats, refused to confirm Mr. McIntyre—thus directly co-operating with the rebels in thwarting the Government—the President was not able to carry forward his policy for collecting the duties, and the *Harriet Lane* did not pay her promised visit to the bristling harbor. For that pandering to treason the country ever must hold the Senate responsible; and loyal men will not cease to blame these Senators who interposed their authority to prevent the President from doing his plain, palpable duty.

The Charleston papers of Jan. 2d, gave notice of formidable military preparations on the islands. The *Mercury* said: "The military movements are progressing rapidly all around

The Collection of the Revenue.

The Military Move-
ments.

us. The brave sons of Carolina, cheered by the encouragement of her equally courageous daughters, are earnestly and silently doing all that men can do towards putting our State in a position to defend herself against the world. For the present we refrain from giving the particulars of the various works that are progressing. We will only say, for the benefit of anxious friends, that the gallant volunteers stationed at the various posts around us are, one and all, devoting themselves to fill the exigencies of a noble cause, and that they are and will, doubtless, continue in high spirits, and as comfortable 'as circumstances permit.'

Another paragraph of the same paper announced that two hundred and sixty-three "prime field hands" had passed through the city, *en route* for the defences. The paper remarked: "Our young men will do the storming and escalading—our slaves will raise our crops, and make our ditches, glacis and earthworks for our defence." It was estimated that one thousand Negroes were at work, at a later day, upon the harbor fortifications, all volunteer laborers—that is, "volunteered by their masters."

Resignations of army and navy officers continued. It was announced, among other items from Charleston, January 4th, that Commodore Shubrick was the guest of Colonel Isaac Hayne—that Captain Hartstene would assume a command in the navy-to-be—that "Commodore" Barron and Captain Ingraham would be with them at the proper hour,* &c., &c.

The Post-office not
Seceded.

Late in December Post-Master-General Holt addressed a circular to all Postmasters in the revolutionary States, to know if they still recognized the authority of the Government over them and their offices. Many replied, chiefly affirmatively; others

* "In 1832-33, when General Jackson was President, and nullification was threatened by South Carolina, he directed the Secretary of War and the Secretary of the Navy to issue circular letters to all officers of the army and navy, enclosing a printed oath which they were compelled to take, binding themselves to stand by the government. Mr. Buchanan was not General Jackson.

did not reply; while those few who replied negatively, were immediately stricken from the rolls and their offices closed, thus giving the Southern people a foretaste of the manner in which the General Government would exercise its constitutional prerogatives. The reply of the Charleston Postmaster proved that, though the State had voted herself independent of all Federal relations and obligations, she still was willing to acknowledge "Uncle Sam" yet a little longer in her postal matters, and was willing that he should continue to lose money in carrying her mails.* Mr. Huger said:—"I do consider myself responsible to the Government of the United States, in conformity with the existing laws, for all the postal revenues received by me as Postmaster at the City of Charleston." Again:—"You will accordingly receive my quarterly accounts in a few days." He inclosed a copy of the Ordinance concerning postal affairs, and did not consider it incompatible with his position. It was not "incompatible with his position," though the authorities did not design the deposits of the Postmaster to account of the Federal Government should leave the State.

On the 3d, Governor Pickens sent to the Legislature a special Message, detailing incidents, and covering his view of the facts regarding the recent movements in the harbor and city. It read as follows:

"EXECUTIVE DEPARTMENT.

"To the Members of the Senate and

"House of Representatives:

"The events that have recently transpired in the harbor of Charleston make it proper

Governor Pickens'
Message.

* The following table will show to what extent the Postal system of the South drew upon the Public Treasury :

EXCESS OF EXPENDITURES OVER RECEIPTS.

Maryland . . .	\$109,135 60	Texas	\$578,103 29
Virginia	255,339 26	Kentucky . .	196,042 29
N. Carolina . .	128,859 89	Louisiana . .	357,693 14
S. Carolina . .	140,409 67	Tennessee . .	161,273 59
Georgia	165,744 23	Missouri . . .	426,714 81
Florida	167,218 78	Arkansas . .	289,808 14
Alabama	282,351 44		
Mississippi . .	251,904 80	Total deficit	\$3,510,598 93

A total deficit of three and one-half millions per annum, for mail service alone, is one of the items of which the South forgot to complain, in its long list of impositions and losses it had suffered in the Union.

that I should communicate the general facts in relation to the same.

"It was distinctly understood that those who had the right to pledge the faith of the United States Government, on the one part, and those who had a similar right on the part of this State, had agreed that after the act of secession there should be no change in the forces within its keeping at the forts in the harbor, nor should there be any increase of the United States forces until after the Commissioners appointed by the Convention should present themselves at Washington, and lay before the President of the United States the Ordinance of Secession, and the proposition to negotiate for the delivery of the posts, and for the State to account for the public property on just and equitable principles. All this was admitted and stated by the late Secretary of War, Governor Floyd, in his letter of resignation, which has been published. Pending this solemn pledge, during the night of the 26th of December last, the commandant of Fort Moultrie suddenly, without notice, evacuated that fort, and with nearly every effective man under his command, and transferred the garrison over to Fort Sumter, the strongest position, commanding the harbor, and to a great extent Fort Moultrie itself. He not only did this, but actually burned the carriages of most of the heavy guns in an effective position, and spiked all the guns, and injured the public property in other respects. The fort was enveloped in smoke and flames.

"When this was known in the early morning to the good people of Charleston, they were thrown into great excitement. I sent off an aid-de-camp to the fort to know by what authority the Commandant had acted, and to require that the Commandant should return back to Fort Moultrie, as the Government of the United States was pledged to keep all its forces as they were in the different forts.

"The reply of Major Anderson was that he had not known of any such pledge, and acted on his own responsibility, with a view to prevent the effusion of blood, and declined to return. I immediately ordered the occupation of Castle Pinckney and Sullivan's Island, and if it could be done in safety, after an examination as to the reported undermining, then Fort Moultrie itself should be occupied.

"In the orders issued it was expressly stated that these occupations were made with a view to prevent the further destruction of public property, and to secure the public safety, if possible. The officer, in taking possession of Castle Pinckney, stated if it had not been done, the public property in that fort would have been destroyed, as was done in Fort Moultrie.

"The Arsenal, containing the arms of the United States, in the city, was more recently taken posses-

sion of, to prevent any premature collision, and for safekeeping, in the present excited state of the public mind. All steps which have been taken, have been taken from necessity, and with a view to give security and safety in the present condition of the country.

"The Convention has by its Ordinance withdrawn the State from the Federal Union, and by consequence impose upon the Executive the duty of endeavoring to sustain the honor and the rights of the State, and in this emergency I confidently rely upon the Legislature to sustain the Executive in all proper measures."

"F. W. PICKENS."

Mr. Farrow moved that the Message of his Excellency be referred to the Committee on Foreign Relations.

A resolution was adopted in secret session, changing the name of the Committee on Federal Relations to Committee on Foreign Affairs, and, on motion, the Message was referred to that Committee.

In the Senate, on the same day, Mr. Bryan offered the following, upon which he moved immediate consideration:

"Resolved, That it be referred to the Committee on Military and Pensions to enforce and report whether, in the event of actual hostilities between the late Government of the United States, or the citizens or Government of any one of them and this State, it would be expedient for the General Assembly to provide for the granting letters of marque and reprisal and letters of sea service to such persons as may volunteer for the naval service of this State, and will give adequate surety for a due observance of the law of nations while in such service; and if so, to report by bill the most effectual method of proceeding in the premises."

The resolution was thereupon adopted.

The South Carolina State Convention adjourned January 5th, subject to the call of the Governor. Among the ordinances passed in secret session, were the following:

"An Ordinance Concerning Powers lately vested in the Congress of the United States.—That all powers which by this State were heretofore delegated to the Congress of the United States, shall be vested in the General Assembly, except that during the existence of the Convention, the powers of the General Assembly shall not extend, without the direction of this Convention, to any one of these subjects, to wit: duties and imposts, the post-office, the declaration of war, treaties, confederacy with other States, citizenship and treason.

"An Ordinance Concerning Judicial Powers.—The Judicial powers heretofore delegated to this State, so as to form a part of the Judicial power of the United States, having reverted to this State, shall be exercised by such Courts as the General Assembly shall direct.

"An Ordinance to Define and Punish Treason.—In addition to what has been already declared to be treason by the General Assembly—treason against this State shall consist only in levying war against the State, or adhering to its enemies, giving them aid and comfort—and that treason shall be punished by death without the benefit of clergy."

A Look Through
Southern Spectacles.

Adverting to the doings
of the Convention, the
results impending, the

Charleston *Mercury* thus chronicled its view of affairs at that juncture, January 5th:

"Scheme after scheme to keep the Union together is formed, and bursts like bubbles on a fretful tide. Every day brings its proof of the steady progress of the Government of the United States to dissolution, and of the South to Union, while every effort made to avert this inevitable drift of things, only accelerates them to their final consummation. Not to act is fatal, and to act is more speedily fatal. So, why not at once acquiesce in the destiny of things—pitch the account-book of the Union into the fire, and take down the new account-book of a Southern Confederacy? Then, spread out its fair pages for a glorious history of independence, prosperity, and liberty. As to the North—let it go over to Canada—or break up into an Eastern, and Middle, and Western Confederacy—all inferior in power, wealth, and civilization to the great predominating Republic of the Slave-holding States of North America. Can they help themselves? We will see."

CHAPTER VII.

AFFAIRS IN WASHINGTON EARLY IN JANUARY. STATE OF PUBLIC FEELING. ACTIVITY IN THE WAR DEPARTMENT. BORDER-STATE COMMITTEE. THEIR PROPOSITION. THE ACTION OF THE COMMITTEE OF THIRTY-THREE. THE FORTS—THEIR COST, ETC. THE MORALE OF THE CONSPIRACY.

Strengthened Public
Opinion.

THE withdrawal of the South Carolina Commissioners was followed by a more determined spirit of resistance in the Cabinet, and by unmistakably patriotic demonstrations on the part of the Northern people. "Union" meetings became numerous and imposing: the press, fast forgetting its chronic distemper towards adversaries, began to harmonize on the question of constitutional obligation, and to demand of the President a rigorous policy of resistance to revolution: State Legislatures, with singular unanimity, counselled resistance to revolution, and offered their tremendous resources to aid the Executive in the discharge of his duty: messages from State Governors indicated clearly that the time for treating with treason had passed: the inviolability of the Union, it was evident, would

be maintained by the Free States to the last extremity. All classes wished for peace: many to whom compromise was hateful asked for it rather than encounter the horrors of a disrupted Confederacy. But, when it became a *demonstrable* fact that the revolutionary States did not want compromise—that they were unalterably set upon the formation of a Southern Slave Confederacy, the masses of the North drew closer together, and, even before their representatives and leaders, were steeling their hearts for the crisis of conflict. That no overtures might be left untried, the labors of the Border States to concoct some remedy for the National disease, were patiently accepted, though, from the very first, it was apparent that no remedy of theirs could allay the fever coursing in the veins of the body politic.

During the first week of January it was

made known that the President would not order Anderson back to Moultrie. Having

New Elements in the
Cabinet.

got rid of Floyd, he found in Judge Holt, a pure-minded adviser, whose patriotism and energy at once seemed to change the whole current of affairs. General Dix, as Secretary of the Treasury, was equally patriotic and trusted. Mr. Toucey, Secretary of the Navy, if he did not enter with ardor upon the duty of resistance to the conspirators, still, being a Northern man, was not in league with them, and gave his casting vote on the side of his government. Thus strengthened in his counsels, and encouraged by the indications of the people and state authorities of the entire North, Mr. Buchanan would have been worse than weak to have restored Anderson to certain destruction or disgrace by ordering him back to Moultrie.

Mr. Holt was given the War Department portfolio Dec. 31st. He had assumed its duties upon the resignation of Floyd, and with such unmistakable evidences of fitness for the trust that his appointment gave the loyal country much pleasure. The disloyal Senate refused to act upon his confirmation for many days, but the growing strength of public opinion toward resistance to, if not actual coercion of, the rebellious States, finally forced his recognition. General Winfield Scott was tendered the seat, at the earnest solicitation of the best friends of the Government, but the wise old warrior preferred to retain his command of the army, and declined the Cabinet appointment to serve his country in his own department. Mr. Holt very judiciously called the veteran into his counsels, and the country found that, with the mere shadow of an army, the two men were prepared for the threatened emergencies as far as their means at command would permit.

Reinforcements for
Anderson.

It was reported from Charleston, December 31st, that strong fortifications were being erected on the islands commanding the harbor entrances, to prevent any reinforcements being sent to Sumter. Notwithstanding, General Scott and Judge Holt, with the consent of the President, prepared to make the attempt to send in supplies and men. Secret preparations were instantly or-

dered to that effect. The steamer *Star of the West*, at New York, was commissioned December 31st, and, all the week succeeding, was taking in stores and munitions with which to sustain and strengthen the garrison.

On the 2d of January the President sent in the name of Wm. McIntyre, of Philadelphia, to be collector of revenue for the port and neighborhood of Charleston. Southern members, in this, saw the President's purpose to force South Carolina into submission to the Federal laws for the collection of duties, and of course resisted. With the aid of Southern Democrats an adjournment was had,—thus refusing to consider the nomination. This "filibustering" was resorted to at every attempt to consider the appointment; and to a few Northern Democrats was the country indebted for that most direct collusion with treason, in tying the President's hands.

The Border State
Committee.

Anticipating the failure of all propositions for a settlement before the Committee of Thirty-three, a caucus of the Senators and Representatives of the Border States alone was convened, at the earnest solicitations of Mr. Crittenden, Mr. Douglas, the President, General Cass, and others, eminent citizens, then at Washington. It held a session Saturday evening, Dec. 29th, and appointed a committee to name one member from each Border State, to sit as a joint committee for the purpose of considering propositions of compromise and adjustment. The following names were reported:—"Senator Crittenden, of Kentucky, Chairman; Messrs. Harris, of Maryland; Sherman, of Ohio; Nixon, of New Jersey; Salisbury, of Delaware; Gilmer, of North Carolina; Hatton, of Tennessee; Petit, of Indiana; Harris, of Virginia; McClelland, of Illinois; Barrett, of Missouri; Sebastian, of Arkansas; Vandever, of Iowa; and Hale, of Pennsylvania."

The Committee of
Thirty-three.

The Committee of Thirty-three continued its session during the week (December 31st-January 5th). On Monday, Mr. Millson's proposition, to extend the Missouri Compromise line, with recognition and protection of *persons* held to service or labor south of it, either in the present Territory, or

in any other that may hereafter be acquired, was considered. On Wednesday it was further discussed and rejected. Mr. Nelson's resolutions, which Mr. Crittenden offered in the Senate were then taken up, and the Committee amended them, so as to declare it inexpedient for Congress to abolish Slavery in the dockyards, arsenals and the like, of the United States, instead of being mandatory not to do so. A similar amendment concerning the District of Columbia was pending upon adjournment. On Thursday it, also, was adopted. The Committee then considered and adopted the following, offered by Mr. Bristow of Kentucky:

"*Resolved*, That we recognize Slavery as now existing in fifteen of the United States, by the usages and laws of these States, and we recognize no authority, legally or otherwise, outside of a State where it so exists, to interfere with slaves or Slavery in such States, in disregard of the rights of their owners and the peace of society.

"*Resolved*, That we recognize the justice and propriety of a faithful execution of the Constitution, and 'all' laws made in pursuance thereof, including those on the subject of fugitive slaves, or fugitives from service or labor, and discountenance all mobs, or hindrances to the execution of such laws, and that the citizens of each State shall be entitled to all the privileges and impunities of the citizens of the several States.

"*Resolved*, That we recognize no such conflicting elements in its composition, or sufficient cause, from any source, for a dissolution of this Government; that we were not sent here to destroy, but to sustain and harmonize the institutions of the country, and to see that equal justice is done to all parts of the same; and, finally, to perpetuate its existence, on terms of equality and justice to all the States."

These resolutions, having the assent of the Republicans, only repeated those previously introduced by Mr. Grimes, Mr. Seward, and others on the Committees.

Friday, being fast day, by proclamation of the President, the Committee was not in session. Saturday the following was introduced by Mr. Hamilton, of Texas:

"*Resolved*, That this Committee do recommend the passage of joint resolutions, respectfully recommending to the several States a general Convention in this city, on a day to be fixed by delegates chosen directly by the people in the several States, to consider of and advise such amendments to the Constitution of the United States, as may be necessary to

protect the interest and preserve the Government of the country, and that an appropriation be made to defray the expenses of such Convention.

The Border State Committee, appointed under instructions from the caucus of Border State members, decided, Friday evening (January 4th), upon the following propositions:

The Border State
Committee's Propo-
sition.

"*First*: Recommending a repeal of all the Personal Liberty bills.

"*Second*: That the Fugitive Slave law be amended for the preventing of kidnapping, and so as to provide for the equalization of the Commissioners' fee, &c.

"*Third*: That the Constitution be so amended as to prohibit any interference with Slavery in any of the States where it now exists.

"*Fourth*: That Congress shall not abolish Slavery in the Southern dockyards, arsenals, &c., nor in the District of Columbia, without the consent of Maryland, and the consent of the inhabitants of the District, nor without compensation.

"*Fifth*: That Congress shall not interfere with the inter-State slave trade.

"*Sixth*: That there shall be a perpetual prohibition of the African slave trade.

"*Seventh*: That the line of 36 deg. 30 min., shall be run through all the existing Territory of the United States; that in all North of that line Slavery shall be prohibited, and that South of that line, neither Congress nor the Territorial Legislature shall hereafter pass any law abolishing, prohibiting, or in any manner interfering with African Slavery; and that when any Territory containing a sufficient population for one member of Congress in any area of 60,000 square miles, shall apply for admission as a State, it shall be admitted, with or without Slavery, as its Constitution may determine."

This scheme, though it favorably met every point raised by the Southern malcontents, did not secure their concurrence, in that it did not positively consign all the Territory South of 36 deg. 30 min., to Slavery. For that little alteration—that mere technicality of construction of the seventh proposition, they rejected *all*. No further evidence was wanting to disclose the fact that the revolutionists *did not desire* a settlement or compromise. Here was an adjustment, conceding all the points at issue, meeting practically every demand made by Mr. Toombs, having the assent of the Border States, and yet it failed to satisfy the disunionists. The Republicans

seeing that spirit, gave over every effort for adjustment. If it was necessary to make the Constitution itself *recognize* Slavery, to *protect* Slavery, by special enactment, they would not touch the question of Constitutional amendment. Mr. Crittenden visited the President, Saturday, to congratulate with him on the adoption, at length, of a settlement. The pure-hearted and patriotic statesman was yet to be undeceived as to the *animus* of the Southern secessionists; his congratulations were premature.

A general caucus of Republican members, Saturday, was called to especially consider that seventh section, which was the proposition of Mr. Hale, of Pennsylvania, on the Border Committee. Mr. Howard, of Michigan, objected to any "compromise" at all, as it would, of itself, be an acknowledgment of wrong which did *not* exist. Mr. Lovejoy, of Maine, expressed similar sentiments. Speaking of the malcontents of the Slave States, and the proposed compromise of dividing the Territory between Freedom and Slavery to the Pacific, he said: "There never was a more causeless revolt since Lucifer led his cohorts of apostate angels against the throne of God; but I never heard that the Almighty proposed to compromise the matter by allowing the rebels to kindle the fires of hell south of the celestial meridian of thirty-six thirty."

Mr. Sherman stated that, "as a member of the Committee from the Border States, he could neither vote for the proposition proposed by Mr. Hale, nor that proposed by Mr. Crittenden, to restore the Missouri line and extend it to the Pacific. He was also opposed to the compromise to prevent the abolition of Slavery in the District of Columbia. While he did not wish to abolish it now, he was opposed to yielding up the right of Congress to do so at any future period.

Mr. Grow of Pennsylvania expressed himself decidedly opposed to all compromises. He asked what better platform the North or the South could have to stand upon than the Union, the Constitution and the laws? The Republican party has chosen a President in accordance with the forms of the Constitution, and is entitled to fair play. If his ad-

ministration of the Government is resisted by those opposed to Mr. Lincoln, the crime will be theirs. When the Republicans took their position before the election, they knew they would have to meet this state of things, and now they should not put the burden upon posterity.

Messrs. Hickman and Stevens of Pennsylvania, and Case of Indiana, opposed all compromises in speeches couched in unmistakable language.

Mr. Pettit, of Indiana, from the Committee of Border States, said he had approved all the propositions in that Committee except the one proposed by Mr. Hale, upon which he did not vote. He defended the Border States for their efforts to arrange matters.

Mr. Stanton, of Ohio, and Mr. Nixon, of New Jersey, expressed themselves in favor of some compromise.

The caucus unanimously agreed to press the business of the country in the House.

Mr. Dawes of Massachusetts moved that no vote be taken on any of the propositions, and that the caucus adjourn *sine die*, which was carried.

The caucus was fully attended, and was harmonious at the close against all compromise in view of the ultimatum made by the disunionists of a positive session to Slavery of all territory south of 36 deg. 30 min. They resolved to stand by the Constitution as it is, and to abide the issue. A correspondent at the capital, of a leading Republican (New York) Journal, wrote:

"It may be stated that a majority of the Republicans would sustain the extension of the old Missouri line, pure and simple, through the present Territory as a final settlement, regarding it as a vindication of the principle upon which the party was originally established. They will never concede the recognition and protection of Slavery south of it, either in the present or prospective territory.

It was announced in Washington, January 2d, Seizure of Forts. that the State authorities of Georgia had seized the forts Pulaski and Jackson, at Savannah, and the United States Arsenal at the same place.

The United States Arsenal at Mobile, and Fort Morgan, were seized, Jan. 4th. These seizures were expected by the State Depart-

ment at Washington, and added not a little to the gathering sentiment in Congress and throughout the North against the revolution. These acts of violence, and appropriation of the unprotected property of the General Government, eventually awakened the spirit of *coercion* in the breasts of men of all parties in the Free States—a spirit which, except for such overt acts might forever have slumbered.*

January 4th was observed at Washington with great solemnity, as a day of fasting and prayer. A sermon, preached to an immense audience, by Rev. Thomas Stockton, Chap-

lain, in the Representatives' Hall, was a most eloquent invocation for the Union, for peace, and for fraternal conciliation. It impressed its hearers profoundly.

During the week troops were concentrated in Washington and vicinity to the number of about three hundred. Fort McHenry, in Baltimore, was occupied by one company of artillery, while another company was thrown into Fort Washington, on the Potomac, twelve miles below the Capital. The Navy Yard was placed under a strong guard, and every arrangement made for giving a decidedly "warm reception" to the madmen who might attempt to seize the government buildings. It seems incredible that the design of such a seizure, at that early moment of the revolution, was conceived and entertained; but, there can be no doubt of such a plot having been concocted. Even papers in Richmond advised the seizure. "Seizures" were, indeed, a potent agency in hastening the revolution. The people were not to be hurried, nor "precipitated" in their steady movement: public opinion was only developed slowly by ordinary processes. Therefore it was necessary, if the leaders would instantly create a fever for action, to seize Government property, and to urge, in justification, the "impending dangers of coercion." This is the key to the seizures at Pensacola, Savannah, Mobile, New Orleans, and, at a later day, in North Carolina and Virginia. A despatch from Savannah, January 5th, said:

"The pretext that it was necessary to take the forts here because the people would rise against them is the merest subterfuge. The only trouble was the people were not forward enough, and it was necessary to create an excitement in order to bring them to the proper pitch. The common talk of the town declares that all these movements are but preliminary to an attack upon the Federal Capital. Having a friendly country through which to march, and having possession of the forts and arsenals, they say that conquest would be easy. They rely on the supposed weakness of the Administration, and are elated with the ease with which they have gained the forts already taken."

If Washington were seized, the South would provide an army to retain it. This would render the proposed Southern Confederacy the Government *de facto*, or would, at least, enable the conspirators to dictate their own

* As frequent reference will be made to the forts of the South, we append, from Col. Totten's Report, a table of the Navy Yards and Forts built by the U. S. Government in the Southern States, together with their cost and armament:

Where located.	Cost.	No. of Guns.
Fort McHenry, Baltimore.....	\$146,000	74
*Ft. Carrol, Baltimore.....	135,000	159
Ft. Delaware, Del. River, Del.....	539,000	151
Ft. Madison, Annapolis, Md.....	5,000	31
Ft. Severn, Maryland.....	6,000	14
Ft. Washington, Potomac River.....	575,000	88
Ft. Monroe, Old Pt. Comfort, Va....	2,400,000	371
Ft. Calhoun, H. R'ds., Norfolk, Va....	1,664,000	224
Ft. Macon, Beaufort, N. C.....	460,000	61
Ft. Johnson, Cape Fear, Wil., N. C....	5,000	10
Ft. Caswell, Oak Island, N. C.....	571,000	87
Ft. Sumter, Charleston, S. C.....	677,000	146
Castle Pinckney, Charleston, S. C....	43,000	25
Ft. Moultrie, Charleston, S. C.....	75,000	54
Ft. Pulaski, Savannah, Ga.....	923,000	150
Ft. Jackson, Savannah, Ga.....	80,000	14
Ft. Marion, St. Augustian, Fla.....	51,000	25
Ft. Taylor, Key West.....	—	185
Ft. Jefferson, Tortugas.....	—	298
Ft. Barancas, Pensacola.....	315,000	43
Redoubt, Pensacola.....	109,000	26
Ft. Pickens, Pensacola.....	759,000	212
Ft. McRee, Pensacola.....	384,000	151
Ft. Morgan, Mobile.....	1,212,000	132
Ft. St. Philip, Mouth Miss. River....	143,000	124
Ft. Jackson, Mouth Miss. River.....	817,000	150
Ft. Pike, Rigolets, La.....	472,000	49
Ft. Macomb, Chef Menteur, La.....	447,000	49
Ft. Livingston, Barrataria Bay, La..	342,000	52

In addition to these there are incomplete works at Ship Island, Mississippi River; Georgetown, S. C.; Port Royal Roads, S. C.; Typer Islands, Savannah; and at Galveston, Brazos, Santiago, and Matagorda Bay, in Texas.

* Incomplete.

terms to the North. The programme was a brilliant one, it must be confessed, and doubtless embodied the combined suggestions of Messrs. Toombs, Floyd, Governor Wise, Wigfall, and other Southern hot-heads. The President had no army—only a few companies at his immediate disposal; and, having no power to call out troops, twenty-five hundred Virginians and Marylanders were deemed amply sufficient to hold the Federal Capital. Congress should not be disturbed—only it should act “circumspectly;” and, as for Mr. Lincoln—why, of course, he could not be inaugurated!

Plot to seize Washington.

All this performance was thwarted by Gen. Scott's and Judge Holt's judicious disposition of their small but effective force at hand, and by the action taken to place the District Military Companies and Militia in a condition for service. The spirit of loyalty grew stronger and stronger, day by day, after January 1st; and if the seizure had been attempted, after that day, at the call of the President one hundred thousand men would have rushed, in arms, to the Capital, from New York and Pennsylvania alone. General Scott, at no period, we are assured, felt the city to be insecure—so well did he know his own strength and the resources available in event of an emergency.

To become possessed of the capital, was, beyond question, the dream of the revolutionists. The seizure of all the property of the government in the Slave States was but preliminary to the forcible possession of the National Capital itself. The rapidity of action in the seceded States in the formation of a Provisional government—the sudden manner in which an army was brought into the field—demonstrate that the details of the revolution were matured by the leaders long before their movements became public. The filling of Southern Arsenals with rich stores of arms and munitions—the withdrawal of garrisons from Southern forts to send them far off on the Western plains—the depletion of the National treasury to the very verge of bankruptcy, so as to leave the incoming administration powerless from want of means—the disruption of the Charleston Democratic Convention, all were, unquestionably, parts

of the plot matured, in 1858, to initiate the long talked-of, the long prayed-for, the long perfected scheme of a Slave Confederacy.

A very interesting document, bearing on this question of the intrigues of the *managers* of the movement, was given to the public through the columns of the *National Intelligencer* newspaper, in Washington, under date of January 9th. That journal said the communication came “from a distinguished citizen of the South, who formerly represented his State with great distinction in the popular branch of Congress. Temporarily sojourning in this city, he has become authentically informed of the facts recited in the letter, which he communicates under a sense of duty, and for the accuracy of which he makes himself responsible.” The communication was as follows:

“WASHINGTON, Jan. 9, 1861.

“I charge that on last Saturday night a caucus was held in this city by the Southern secession Senators from Florida, Georgia, Alabama, Mississippi, Louisiana, Arkansas, and Texas. It was then and there resolved, in effect, to assume to themselves the political power of the South, and to control all political and military operations for the present. They telegraphed to complete the plan of seizing forts, arsenals, and custom-houses, and advised the Conventions now in session, as soon as possible, to pass ordinances for immediate secession; but, in order to thwart any operations of the Government here, the Conventions of the seceding States are to retain their representations in the Senate and the House.

“They also advised, ordered, or directed the assembling of a Convention of delegates from the seceding States at Montgomery, on the 13th of February. This can, of course, only be done by the revolutionary Conventions usurping the powers of the people, and sending delegates over whom they will lose all control in the establishment of a Provisional Government, which is the plan of the dictators.

“This caucus also resolved to take the most effectual means to dragoon the Legislatures of Tennessee, Kentucky, Missouri, Arkansas, Texas, and Virginia into following the seceding States. Maryland is also to be influenced by such appeals to popular passion as have led to the revolutionary steps which promise a conflict with the State and Federal Governments in Texas.

“They have possessed themselves of all the avenues of information in the South—the telegraph, the press, and the general control of the postmasters.

They also confidently rely upon defections in the army and navy.

"The spectacle here presented is startling to contemplate. Senators intrusted with the representative sovereignty of the States, and sworn to support the Constitution of the United States, while yet acting as the privy counsellors of the President, and anxiously looked to by their constituents to effect some practical plan of adjustment, deliberately conceive a conspiracy for the overthrow of the Government through the military organizations, the dangerous secret order of the Knights of the Golden Circle, "Committees of Safety," Southern leagues, and other agencies at their command; they have instituted as thorough a military and civil despotism as ever cursed a maddened country."

The confirmation which these statements had in succeeding events gives assurance that the writer was well informed, and unveils the

system of intrigue, of duplicity, of usurpation and wrong through which the entire rebellion was controlled. When the secret history of the conspiracy is written, the Southern people will be amazed to find to what an extent they were instruments in the hands of the designing and restless spirits whose political ambition was only second to their selfishness and slave-owners' pride. We have yet to learn, from a careful examination of all evidence at this moment available—from a rigid scrutiny of individual acts and public movements—that there has been, on the part of the instigators of the revolution, anything of patriotism, of pure motive, of earnest desire for the good of the whole. If this, indeed be true, time surely will unmask the hypocrisy of professions and acts.

CHAPTER VIII.

PROCEEDINGS IN CONGRESS CONTINUED. SIXTH WEEK. SPEECHES OF TOOMBS, HUNTER AND SEWARD. THE PRESIDENT'S MESSAGE. RESOLUTIONS ENDORSING MAJOR ANDERSON AND SUSTAINING THE PRESIDENT.

Mr. Crittenden's
Speech.

THE proceedings of this week were of the most important and interesting nature. In the Senate, Monday, (January 7th,) Mr. Crittenden called up his resolutions for a reference of his compromise to the people, and supported the proposition with an earnest and eloquent appeal. It seemed to him the only course left—to appeal to the people, who would be just arbiters. There was nothing improper in such an appeal—nothing which forbade it. He then referred to the features of his propositions, approving of the suggested amendments to the Constitution as desirable, to take the Slavery question from Congress forever. The establishment of a line dividing the common Territory was less a compromise than a fair adjustment of rights. The alternative was civil war. Were members of Congress prepared for such an alternative rather than recognize Slavery in a Ter-

ritory until it becomes a State? The Territory was acquired as the common property of all, and now a few attempt to exclude a portion from their just rights, because they have conscientious scruples on the subject. Were Senators willing to sacrifice the country rather than yield their scruples? But, as a matter of right, have Senators any right to exclude any property? The Constitution was formed by men who well knew we had different institutions in different parts of the country, and no section of the country has a right to set up a particular opinion as a rule for all the rest. Suppose the different sections had different religions, would one section try to establish a religion for the other? But the pulpit has become the minister of the politician, and the politician has become the minister of the Gospel. No man has the right to insist that another man's conscience shall be ruled by his. But he was to deal

with the present, not the past. He was now to consider the safety of the country, and was here as advocate of the Union, contending for what he thought would save the country. Was a great party grown up which would introduce the Anti-Slavery principle, and was that the principle on which it had triumphed? This triumph filled some portion of the Southern States with alarm. Will the party now in the proud triumph of victory plant itself on platforms and dogmas and not yield an inch, or will they, like generous men, be not only just but liberal? He appealed to them as patriots and countrymen to grant equal rights to all. He did not think he was asking them to make concessions, but only to grant equal rights. He did not believe in the doctrine of secession. It was a new doctrine, and an attempt to secede with the bold front of a revolution, is nothing but lawless violation of the law and the Constitution. But he only wanted to bear his testimony to the Constitution, and to let it be known that the Constitution cannot be broken. If a State wishes to secede, let them proclaim revolution boldly, and not attempt to hide themselves under little subtleties of law, and claim the *right* of secession. A constitutional right to break the Constitution, was a new doctrine. He argued that Mr. Webster always went against any right of secession. On one side was an asked concession, and on the other side was civil war.

Mr. Toombs, having the floor, next followed. His speech having been set for Monday, had drawn a very crowded auditory to wait upon its delivery. It was well understood that it would define the extreme Southern programme. It was, as anticipated, extremely violent and defiant; in many portions it was rank with treasonable threat and declaration; in its entire spirit and matter it exemplified the irreconcilable nature of his views, and those even of the Conservatives in the two Houses. We shall re-produce so much of it as may be necessary to indicate its spirit and intent.

"The success of the Abolitionists and their allies, under the name of the Republican party, has produced its logical result already. They have, for long years, been sowing dragon's teeth, and they have finally got a crop of armed men. The Union, Sir, is

dissolved. That is a fixed fact lying in the way of this discussion, and men may as well heed it. One of your confederates has already wisely, bravely, boldly, met the public danger, and confronted it. She is only ahead and beyond any of her sisters, because of her greater facility of action. The great majority of these sister States, under like circumstances, consider her cause as their cause; and I charge you, in their name, here, to-day, 'touch not seguretum.' While my friend from Kentucky, (Mr. Crittenden,) while the House of Representatives are debating the constitutionality and the expediency of seceding from the Union, and while the perfidious authors of all this mischief are showering down denunciations upon a large portion of the patriotic men of this country, those brave men are calmly and coolly effecting what you call revolution. Aye, Sir, better than that—an armed defense. They appealed to the Constitution and to justice—they appealed to fraternity, until the constitutional justice and fraternity was no longer listened to in the legislative halls of the country. And then, Sir, they prepared for the arbitrament of the sword. Now, Sir, you may see the glitter of the bayonet, and hear the tramp of armed men, from your capital to the Rio Grande. * * * *

"My own position, and my own demands, as I will now give them, are considered the demands of an extreme person, and what you, who talk of Constitutional right, consider treason. I believe that is the term. I believe for all the acts which the Republican party call treason and rebellion, there stands before them as good a traitor and as good a rebel as ever descended from revolutionary loins. What does this rebel demand? That these States have equal rights to go into the common Territories and remain there with their property, and be protected by the Government till such Territories shall become States. We have fought for this Territory when blood was its price. We have paid for it when money was the price. I demand only that I have leave to go into these Territories upon terms of equality with you, as equal in this great confederacy, and enjoy my own property, receiving the protection of a common Government until they shall come into the Union as a Sovereign State, and choose their own institutions. I demand, second, that property in slaves be entitled to the same protection from Government as all other property, and that the Government shall never interfere with the right of any State to abolish or protect Slavery in its own limits. We demand that a common Government shall use its power to protect our property as well as yours. We pay as much as you do. Our property is subject to taxation. We claim that that Government which recognizes our property for tax-

Toombs' Speech.

ation should give it the same protection it does to your property. Shall it not do it? You say, No. You in the Senate say, No; the House says, No; and throughout the length and breadth of your whole conspiracy against the Constitution there is one shout of No! It is the price of my allegiance. Withhold it, and you don't get my obedience. There is the philosophy of the armed men that have sprung up in this country, and I had rather see the population of my own, my native land, beneath the sod, than that they should support, for one hour, such a Government. * * * * *

"I demand, third, that persons committing crimes against slave property in one State, shall be delivered up by another State, to which they may have fled. That is another of the demands of an extremist and a rebel. [Mr. Toombs then referred to the Fourth Article of the Constitution, as supporting this demand, and proceeded.] But the non-Slaveholding States, regardless of their oaths and compacts, have steadily refused to return the men who have stolen Negroes, if these Negroes were slaves. This was done long ago in Maine. We remonstrated and appealed for fraternity. But this Article of the Constitution has been a dead letter to us from that day to this. The Senator from New York (Mr. Seward) also, when Governor, refused this right to Virginia. He said it was not against the laws of New York to steal Negroes, and he would not deliver up the man, and these are our Confederates—our Sister States. There is a bargain and a compact. They swore to it, but you cannot bind them by an oath. They have a higher law. I suppose you will undertake to whip freemen into loving such brethren as that. You will have a good time of it, no doubt. We want that provision of the Constitution carried out. * * The next demand is that fugitive slaves shall be surrendered, according to the act of 1850. The Constitution has provided for this rendition. [He read that article of the Constitution]. But the Northern States have tried always to evade this. First, they got up the fiction that they were entitled to the Habeas Corpus act in the States to which the fugitive had fled. They did not require that for a white man. White men might be delivered up every day, but not slaves. I undertake to say here that no Black Republican Legislature will ever say it is their duty to render back fugitive slaves. They don't intend to do it. They intend to get possession of this Government, and to use their power against us."

"The next demand is, that no State shall pass any law intended to disturb the peace and tranquility of any other State. When the Senator from Illinois (Mr. Douglas) introduced a bill here last Winter to

prevent invasion, Mr. Lincoln, in his speech at New York, called it a sedition bill."

Mr. Toombs then referred to the old articles of Confederation, and said the Constitution was made simply to get at the people's pocket—that was the simple secret of the Constitution. It was false to say "it is cemented by the blood of the brave men of the Revolution." It never cost one drop of blood. Many of the men of the Revolution voted against it. He continued:

"It was carried in the Convention of Virginia by only five Toombs' Speech. votes. The great mass of the people of Georgia, I know, would rather stay in the Union, but I believe it is a Government that has never done anything for us, and had I the opportunity I should have voted with the men who voted against it. Yet I have been content to its maintenance, because while I did not believe it was a good compact, I was bound by my oath and by honor, and by that common prudence which leads men to hold to what they have instead of flying to dangers they know not of. And I have given it, and I would have given it, my unqualified support and allegiance. All the obligations, all the chains that fetter the limbs of my people, are nominated in the bond. They acted upon that conclusion by declaring that the powers not granted to the Government, or forbidden to the States, belonged to the States respectively. * * * * *

"If, in common justice, equal rights belong to our States, when did we get them? Every reserved right is a Constitutional right. The Northern doctrine was the same many years ago. They denounced Madison for the Virginia report of 1799. They denounced many of the fathers because they presumed to impugn the decisions of the Supreme Court. That was the universal judgment and declaration of every Free State of this Union. Very well. Come to the compact. It is not in the bond to exclude us from the common Territory. The Supreme Court has decided we have a right to go there and have a right to be protected there. But Mr. Lincoln says, 'I don't care for the Supreme Court—I will turn you out anyhow.' Then you must take my construction of the Constitution. You won't take the Supreme Court as the arbiter, or the opinions of Madison, Jefferson, or the fathers. You take nothing but your own judgment. Your States discard the Court and our construction, and say you will drive us out. Come and do it. You will find us ready. Come and do it. If this is the argument, then the sword alone becomes the constitutional arbiter. It may be secession, it may be revolution,

Mr. Toombs Speech. but it is a free country in arms and standing for the right. * *

* * * * They have made a proclamation of outlawry against us. The Constitution gives them no warrant for this thing. Your Chicago Platform and declaration of principles expressly declares, very much like the unjust Judge that you neither fear God nor regard man. He read from the Chicago Platform the article denying the legal existence of Slavery in the Territories. Then you declare that the treaty of 1803 was null and void, and no law at all. You declare that the acts by which we organized and protected the Territories of Louisiana, Arkansas, and Mississippi, are all null and void, and no laws; and you declare that the decision of the Supreme Court of the United States is null and void, and no law, and that there is no Constitution but the Chicago Platform. You swear to support this Government with this understanding. But my friend from Kentucky (Mr. Crittenden) says we can't secede—we can't revolutionize. What can we do? Why, you can submit, for, they say, we are the strongest, and we will hang you. I will take that right. I will take the Constitution, and I will defend it against the sword or the halter. We are willing to defend that right with the halter around our necks, and to meet these Black Republicans, their myrmidons and allies whenever they choose to come on. * *

"You have outlawed us—you avow it. Mr. Lincoln declares it. Your platform, your papers, your Legislatures, declare it; and there is but one voice rolling throughout your entire phalanx—that we shall be outlawed in the Territories of the United States. But I say we will not; and I will never compromise that right, upon the face of the earth. I won't buy a shameful peace. I prefer war. Georgia is on the war-path, on a proposition of this kind."

The Senate adjourned to Wednesday.

In the House, Monday, a Resolution to En-dorse Anderson. most interesting episode occurred, on the introduction, by Mr. Adrian, of N. J., of a resolution approving the act of Major Anderson, and to support the President in his effort to enforce the laws, viz:

"Resolved, That we fully approve the bold and patriotic act of Major Anderson, in withdrawing from Fort Moultrie to Fort Sumter, and the determination of the President to maintain that fearless officer in his present condition; and we will support the President in all constitutional measures to enforce the laws and preserve the Union."

This was followed by marked excitement and personal feeling. Its introduction was

objected to by Burnett, of Kentucky, as calculated to do harm in the excited state of the country. Mr. Adrian said the country demanded it, and called for a suspension of the rules, to get it before the House. During the calling of the yeas and nays on the motion to suspend, the running remarks elicited formed one of the most interesting features of the entire session, while the result had a very important bearing on the ultimate question of National affairs. We give, as a matter of curiosity, the entire report of the remarks elicited, as the names of certain prominent gentlemen were called:

When Mr. Leach's (S. Am., N. C.) name was called, he said he could not give his vote for the resolution, although he would like to give his vote for any man who would save the Union.

Mr. McKean (Rep., N. Y.) said a few more men like Major Anderson would quiet the country.

Mr. Hindman (Dem., Ark.) wanted a vote, and to ascertain who had proved a traitor to every principle.

Mr. Campbell (Rep. Pa.) approving the conduct of Major Anderson, voted Yea.

Mr. Hill (S. Am., Ga.) was an advocate of peace, but conceived the resolution could be productive of nothing but harm.

The rules were suspended—134 against 53.

Mr. Bocock (Dem., Va.) moved to lay the resolution on the table. He wanted to show a disposition to get rid of this firebrand motion.

Mr. Lovejoy (Rep., Ill.)—We sustain the Government.

Mr. Hindman wished to know whether it was in order for him to propound a question to Mr. Adrian for information?

Voices from the Republican side—"Not in order."

Mr. Hindman—I am not asking the opinion of Black Republican gentlemen.

The Speaker said nothing was in order but the call of the roll.

When John Cochrane's (Dem., N. Y.) name was reached, he said, having cause to believe that Anderson acted under the instructions of the Secretary of War, I vote Aye. [Laughter.]

Mr. Dunn (Rep., Ind.)—Believing Anderson acted on his sole responsibility, I vote Aye. [Renewed Laughter.]

Mr. Hamilton (Dem., Texas) believed Anderson ought to be sustained by the Government, but for other reasons he voted against the resolution.

Mr. Moore (S. Am., Ky.)—As the Secretary of War denounced the act of Anderson, I vote No.

Interesting
Episode.

Mr. Hatton (S. Am., Tenn.)
believing the resolution would

do harm and no good, voted against it.

Mr. Vallandigham (Dem., Ohio)—I vote for peace and compromise. You refuse it. I vote now against force. No.

Mr. Hindman (Dem., Ark.) said if the President or the Secretary of War, or any other officer, directly or indirectly, justified the act of Major Anderson, he did not hesitate to say that they are guilty of treason and inciting civil war.

Mr. Kunkel (Dem., Md.) believing that Major Anderson acted more for personal safety than for the peace of the country, voted No.

Mr. Logan (Dem., Ill.)—As the resolution meets my unqualified approbation, I vote Aye.

Mr. Mallory (S. Am., Ky.) while willing to sustain Major Anderson, would not vote for the resolution, pledging him in advance to all the measures of the President.

Mr. McKenty (Dem., Pa.)—I have the honor of representing one of the most conservative districts of Pennsylvania—one that is strongly Democratic. Our political difficulties and sympathies have been always with the South. I don't believe there is a single man in my district that does not sustain the President in his course. While we have stood by South Carolina at the ballot-box, we cannot sustain her in her treason against the General Government. I feel that the act of the President is merely defensive; and if the last page of our nation's history is to be a bloody one, the responsibility must rest with those who will make it so.

Mr. Moore (Dem., Ky.)—If the question was confined to the simple act of approving of Anderson, he might vote aye; but he could not support the remainder of the resolution.

Mr. Nixon (Rep., N. J.)—As I stand on the Constitution and laws, I vote Yea.

Mr. Pryor—As I believe the act of Major Anderson to foster civil war, I vote Nay.

Mr. Rust (Dem., Ark.) as Anderson had shown no extraordinary courage in abandoning a weak work for a safe one, and as the President had pledged his word not to change the condition of the forts, voted Nay.

Mr. Sickles (Dem., N. Y.) believed his constituents were unfalteringly opposed to coercion against the sovereign States; nevertheless, convinced as he was that they regard Major Anderson's act as within the spirit of his instructions and the scope of his duty and patriotism—that it is the sworn duty of the President to preserve the Union by upholding the Constitution—he believed he gave an expression of the opinion of the City of New York by voting Yea. [Applause from Republican side.]

Mr. Stevenson (Dem., Ky.)

did not know what measures the President contemplated,

therefore he was not willing to pledge himself to anything looking to coercion. Whenever a measure of that kind shall be presented, he would inflexibly oppose it from end to end. He voted Nay.

Mr. Stokes (S. Am. Tenn.) had no objection to the first part of the resolution, but had to the latter part. He did not believe the resolution had a tendency to reconcile or to restore peace. It was known he was for peace and compromise, and for healing the disturbing questions which excite and distract the country; but he did not believe this resolution would heal the difficulties, therefore he voted Nay.

Mr. Moore (Dem., Ala.) said a solemn compact had been entered into between the representatives of South Carolina and the President; that the forts were not to be disturbed or reinforced. He wished it to be recorded that the people of South Carolina, in her weakness, kept her faith when these forts were necessary for the protection of her homes and firesides. I vote Nay.

The Republican side called him to order, objecting to further remarks.

Mr. Barksdale (Dem., Miss.) amid shouts for order from the Republican side, and much general excitement, said this resolution was a firebrand cast into the South for the purpose of inciting revolution and insurrection. It was infamous and cowardly.

He could not be heard throughout owing to the great state of confusion. He took his seat remarking that he had said all he wanted to say. The Speaker's hammer had repeatedly called him to order.

Mr. Barrett (Dem., Mo.) indorsed Major Anderson's act, but as no official information had been transmitted concerning it, he deemed it an improper subject for consideration at this time.

Mr. Gilmer (S. Am., N. C.) approved the conduct of Major Anderson; but as the House had refused to admit a proposition for adjustment of the difficulties, he could not in the face of that fact vote for the resolution.

Mr. Webster (S. Am., Md.) said the South had held out the olive branch to the North, but the North had shown themselves adverse, as for this olive branch they had offered the sword of war. He voted Nay.

Mr. Florence (Dem., Penn.) considered this resolution as calculated to provoke mischief, and to do more harm than good; therefore he voted Nay.

The resolution was then passed by a vote of 124 to 56.

This result was received with acclamations throughout the North, all parties uniting in

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expressions of loyalty. It was the first resolution of the session looking to the "enforcement of the laws" and to sustaining the President. It indicated to him the course which Congress was now willing to sustain him in pursuing.

The Border State
Proposition.

Mr. Etheridge of Tennessee, previous to this vote, had asked leave to intro-

duce resolutions embodying the substance-matter of the propositions agreed to by the Border State Committee [See page 172.]; but the usual protest, "I object!" gave them their quietus. Mr. Etheridge tried to force it upon the House by a suspension of the rules, but a vote not to suspend decided against him. The loss of these resolutions and the adoption of that offered by Mr. Adrian, seemed to indicate pretty clearly that the House was becoming less considerate of compromise and more solicitous of an enforcement of the laws.

The House adjourned to Wednesday.

On Wednesday the President's Message, covering the correspondence with the South Carolina Commissioners, was transmitted to the two Houses. In the Senate, its reading, and the reception of the correspondence, gave rise to an exciting passage between Mr. Davis, of Mississippi, and Mr. King, of New York. The Message, at the call of Mr. Seward, was read as follows:

"To the Senate and

House of Representatives.

The President's
Message.

"At the opening of your present session, I called your attention to the dangers which

threatened the existence of the Union. I expressed my opinion freely, concerning the original causes of these dangers, and recommended such measures as I believed would have the effect of tranquilizing the country, saving it from the peril in which it had been needlessly and most unfortunately thrown.

"Those opinions and recommendations I do not propose now to repeat. My own convictions upon the whole subject remain unchanged. The fact that a great calamity was impending over the nation was even at that time acknowledged by every intelligent citizen. It had already made itself felt throughout the length and breadth of the land. The necessary consequences of the alarm thus produced were most deplorable. The imports fell off with a rapidity never known before, except in the time of war, in the history of our foreign commerce. The Treasury

was unexpectedly left without means, which it had reasonably counted upon to meet its public engagements. Trade was paralyzed, manufactures were stopped, the best public securities suddenly sunk in the market, every species of property depreciated more or less, and thousands of poor men who depended on their daily labor for their daily bread, were turned out of employment.

The President's
Message.

"I deeply regret that I am not able to give you information upon the state of the Union, which is more satisfactory than what I was then obliged to communicate. On the contrary, matters are still worse at present than they then were. When Congress met, a strong hope pervaded the whole public mind that some amicable adjustment of the subject would be speedily made by the Representatives of the States, which might restore peace between the conflicting sections of the country. That hope has been diminished by every hour of delay, and as the prospect of a bloodless settlement fades away, the public distress becomes more and more aggravated. As an evidence of this, it is only necessary to say that the Treasury notes, authorized by the act of the 17th of December last, were advertised according to law, and that no responsible bidder offered to take any considerable sum at par, at a lower rate of interest than twelve per cent. From these facts, it appears that in a Government organized like ours, domestic strife, or even a well-grounded fear of civil hostilities is more destructive of public and private interests than the most formidable foreign war.

"In my annual message I expressed the conviction, which I have long deliberately held, and which recent reflection has only tended to deepen and confirm, that no State has the right, by its own act, to secede from the Union, or to throw off its Federal obligation at pleasure. I also declare my opinion to be, that even if that right existed, and should be exercised by any State of the Confederacy, the Executive Department of this Government had no authority, under the Constitution, to recognize its validity by acknowledging the independence of such State. This left me no alternative, as the chief executive officer, under the Constitution of the United States, but to collect the public revenue and protect the public property, so far as this might be practicable, under existing laws. This is still my purpose. My province is to execute, not to make the laws. It belongs to Congress exclusively to repeal, modify or enlarge their provisions, to meet exigencies as they may occur. I possess no dispensing power, I certainly had no right to make aggressive war upon any State, and I am perfectly satisfied that the Constitution has wisely withheld that power, even from Congress.

The President's
Message.

"But the right and the duty
to use military force defensively
against those who resist the

Federal officers in the execution of their legal functions, and against those who assail the property of the Federal Government is clear and undeniable. But the dangerous and hostile attitude of the States toward each other, has already far transcended and cast into the shade the ordinary Executive duties already provided for by law, and has assumed such vast and alarming proportions as to place the subject entirely above and beyond Executive control. The fact cannot be disguised, that we are in the midst of a great revolution. Therefore, I commend the question to Congress, as the only human tribunal under Providence possessing the power to meet the existing emergency. To them, exclusively, belongs the power to declare war, or to authorize the employment of military force, in all cases contemplated by the Constitution, and they alone possess the power to remove all the grievances which might lead to war, and to secure peace and union to this distracted country. On them, and on them alone, rests the responsibility. The Union is a sacred trust left by our Revolutionary fathers for their descendants, and never did any other people inherit such a legacy. It has rendered us prosperous in peace and triumphant in war. The National Flag has floated in glory over every sea, and under its shadow American citizens have found protection and respect in all lands beneath the sun. If we descend to considerations of purely material interest when, in the history of all time, has a Confederacy been bound together by such strong ties of mutual interest? Each portion of it is dependent upon all, and all upon each portion, for prosperity and domestic security. Free trade throughout the whole supplies the wants of one portion from the productions of another, and scatters wealth everywhere. The great planting and farming States require the aid of the commercial and navigating States to send their productions to domestic and foreign markets, and furnish the naval power to render their transportation secure against all hostile attacks.

"Should the Union perish in the midst of the present excitement, we have already had a sad foretaste of the universal suffering which would result from its destruction. The calamity would be severe in every portion of the Union, and would be quite as great, to say the least, in the Southern as in the Northern States.

"The greatest aggravation of the evil, and that which would place us in the most unfavorable light, both before the world and posterity is, as I am firmly convinced, that the secession movement has been chiefly based upon misapprehension at the South of

the sentiments of the majority
in several of the Northern
States. Let the question be

The President's Mes-
sage.

answered from the political assemblies to the ballot-box, and the people themselves would speedily redress the serious grievances which the South have suffered. But, in Heaven's name, let the trial be made before we plunge into an armed conflict, upon the mere assumption that there is no other alternative. Time is a great conservative power. Let us pause at the momentous point, and afford the people, both at the North and South, an opportunity for reflection. Would that South Carolina had been convinced of this truth before her precipitate action. I therefore appeal through you to the people of the country to declare in their might that the Union must and shall be preserved by all constitutional means.

"I most earnestly recommend that you devote yourselves to the question how this can be accomplished in peace. All other questions, when compared with this, sink into insignificance. The present is no time for palliatives. Prompt action is required. A delay in Congress to prescribe or recommend a distinct and practical proposition for conciliation, may drive us to a point from which it will be almost impossible to recede. A common ground on which conciliation and harmony may be produced is surely not unattainable. The proposition to compromise by letting the North have exclusive control of the Territory above a certain line, and to give Southern institutions protection below that line, ought to receive universal approbation. In itself, indeed, it may not be entirely satisfactory, but when the alternative is between reasonable concession on both sides and the destruction of the Union, it is an imputation on the patriotism of Congress to assert that its members will hesitate a moment. Even now the danger is upon us.

"In several States which have not yet seceded, the forts, arsenals, and magazines of the United States have been seized. This is by far the most serious step which has been taken since the commencement of the troubles. This public property has long been left without garrisons and troops for its protection, because no person doubted its security under the flag of the country in any State of the Union. Besides, our small army has scarcely been sufficient to guard our remote frontiers against Indian incursions. The seizure of this property, from all appearances, has been purely aggressive, and not in resistance to any attempt to coerce a State or States to remain in the Union. At the beginning of these unhappy troubles, I determined that no act of mine should increase the excitement in either section of the country. If the political conflict were to end in civil war, it was my determined purpose not

The President's
Message.

to commence it, nor to furnish an excuse for it in any act of this Government. My opinion remains unchanged, that justice as well as sound policy requires us still to seek a peaceful solution of the questions at issue between the North and South. Entertaining this conviction, I refrained even from sending reinforcements to Major Anderson, who commanded the forts of Charleston harbor, until an absolute necessity for doing so should make itself apparent, lest it might be regarded as a menace of military coercion, and thus furnish a provocation, or, at least, a pretext, for an outbreak on the part of South Carolina. No necessity for these reinforcements seemed to exist. I was assured, by distinguished, upright gentlemen of South Carolina, that no attack on Major Anderson was intended, but that, on the contrary, it was the desire of the State authorities as much as it was my own to avoid the fatal consequences which must eventually follow a military collision.

"And here I deem it proper to submit, for your information, copies of a communication dated 28th December, 1860, addressed to me by R. W. Barnwell, J. H. Adams, and James L. Orr, Commissioners of South Carolina, with the accompanying documents, and copies of my answer thereto, dated December 31st. [See pages 145-149.] In further explanation of Major Anderson's removal from Fort Moultrie to Fort Sumter, it is proper to state that after my answer to the South Carolina Commissioners, the War Department received a letter from that gallant officer dated December 27th, 1860, the day after his movement, from which the following is an extract:

"I will add as my opinion, that many things convinced me that the authorities of the State designed to proceed to a hostile act (evidently referring to the orders dated December 11th, of the late Secretary of War.) Under this impression, I could not hesitate that it was my solemn duty to move my command from a fort which we could not probably have held longer than forty-eight or sixty hours, to this one where my power of resistance is increased to a very great degree."

It will be recollected that the concluding part of the orders was in the following words:

"The smallness of your force will not permit you, perhaps, to occupy more than one of the three forts, but an attack on, or attempt to take possession of either one of them, will be regarded as an act of hostility, and you may then put your command into either of them, which you may deem most proper to increase its power of resistance. You are also authorized to take similar defensive steps whenever you have tangible evidence of a design to proceed to a hostile act.

"It is said that serious apprehensions are to some extent entertained, in which I do not share, that the peace of the District may be disturbed before the 4th of March next. In any event, it will be my duty to preserve it, and this duty shall be performed.

"In conclusion, it may be permitted to me to remark that I have often warned my countrymen of the dangers which now surround us. This may be the last time I shall refer to the subject officially. I feel that my duty has been faithfully, though it may be imperfectly performed; and whatever the result may be, I shall carry to my grave the consciousness that I at least meant well for my country.

(Signed) "JAMES BUCHANAN.

"Washington City, Jan. 8, 1861."

Davis, of Miss., called for the reading of the accompanying papers. He referred to the peaceful nature of the mission, and to the amiable character of the Commissioners. The country, therefore, had a right to expect something good from their presence. But they had returned, and the President had not even referred to the termination of their mission. He added: "He," (the President,) "stops with the letter which he sent to them, and which I must say, with all respect to the high office which he holds, was wanting in fairness, and was a perversion of the arguments which they had presented. They replied to him, and exposed the unfairness of his treatment of the facts which they stated, certainly in a manner most uncomfortable to him, and he returned their letter as one which he could not receive. In his communication to us he does not even permit us to know that these Commissioners had attempted to reply to the positions he had taken. But, with this great misstatement of his paper to them, he sends that paper to the world without even a reference to the fact that he was answered. I have an authentic copy of their answer, and I send it to the desk that it may be read."

Mr. King (Rep., N. Y.)

interposed, objected, saying that the Senator (Mr.

Exciting Passage.

Davis) talks of the high character of the Commissioners. Benedict Arnold and Aaron Burr once also had high characters.

Mr. Davis called Mr. King to order, remarking, that he (Mr. K.) once occupied a higher position than he does now.

Mr. King—These men were here with a treasonable purpose.

Mr. Davis—I call the Senator to order. I sent a paper to be read, Sir.

Mr. King—I call the Senator to order. I object to the reading of the paper.

Mr. Davis—If the Senator has the meanness to object, let it come back.

Mr. King said he objected to the reading. He did not want to hear the papers read.

A long discussion ensued on a point of order, and the yeas and nays were called on the decision of the Chair that the paper was understood to be part of the Senate papers.

Mr. King said he objected to the reception of the paper, as he supposed it was to supply a defect in the President's Message.

The decision of the Chair was sustained—31 to 19. And it was also ordered to be read—36 to 13.

The reading of the last letter again called up Mr. Davis. In the course of his remarks he said: "I feel now, even more than before, pity for the Chief Executive of the United States. Fallen, indeed, is that Executive, who so lately was borne into the high office which he holds, upon the shoulders of the Democracy of the land, when he comes down to depend upon the Senators from New York for protection." He then asked: "Why, after the reception of the last letter, the President had not called upon the Commissioners for the means by which peace could be restored? Thus he would have initiated a measure which might have led to auspicious results, and might have turned away civil war. Then we should not have stood waiting hourly, as we do to day, for what the telegraph may bring us to decide whether we are to have peace or war."

Mr. Crittenden called up his resolutions. Mr. Clark, of N. H., moved to substitute the following:—

"Resolved, That the provisions of the Constitution are ample for the preservation of the Union, and the protection of all the material interests of the country; that it needs to be obeyed rather than amended, and an extrication from our present difficulties is to be looked for in strenuous efforts to preserve and protect the public property, and enforce the laws, rather than in new guarantees for particular interests, or compromises, or concessions to unreasonable demands.

"Resolved, That all attempts to dissolve the Union, or overthrow the Constitution, with the expectation of constructing it anew, are dangerous and illusory, and in the opinion of the Senate no reconstruction is practicable; and, therefore, to the maintenance of the existing Union and Constitution should be directed all the energies of the Government."

The whole matter was laid over.

In the House Wednesday was also a day of excitement. At the reception and reading of the President's Message, Mr. Howard, of Michigan, moved that the Message be referred to a Special Committee of Five, with instructions to inquire whether any Executive officers of the United States have been or are now treating or holding communication with any person or persons for the transfer of forts and other property; whether any demand for their surrender has been made, and by whom, and what answer has been given; whether any officer or officers have entered into any pledge not to send reenforcement of troops to the harbor of Charleston, and if so, when, where, by whom, and on what considerations; whether the Custom-house, Post-office, and arsenal at Charleston have been seized, by whom held in possession; whether any revenue cutter has been seized, and whether any efforts have been made to recover it. The Committee to have power to send for persons and papers, and report from time to time such facts as may be required by the national honor, &c.

Howard's Special
Committee on the
Message

This stirred up the opposition to a determined resistance. Mr. Crawford, of Georgia, ineffectually sought to introduce a substitute. Mr. Garnett, of Virginia, sought to have the Message considered in the Committee of the Whole on the State of the Union. Mr. Phelps, of Mo., would oppose the resolution as offering, instead of a remedy for evils, a mere effort to indict somebody. Mr. Florence, (Dem.) of Pennsylvania, opposed the resolution, believing it to be productive of no good. So of Hill, of Georgia, and Martin, of Virginia, the latter of whom deemed it a firebrand. The resolution finally passed—133 to 62. On further motion of Mr. Leake, the Special Committee, now ordered on the Message, was instructed to inquire whether any arms have recently been remov-

ed from Harper's Ferry to Pittsburgh; and if so, by whose authority and for what reason.

In the Senate, Friday, the Crittenden resolutions were called up. Mr. Turnbull moved an amendment, approving the conduct of Major Anderson in withdrawing from Fort Moultrie to Fort Sumter; also approving the determination of the President to maintain that officer in his present condition, and avowing that we will support the President in all Constitutional measures for the enforcement of the laws and for the preservation of the Union.

Mr. Hunter, of Virginia, then addressed the Senate at length on the state of the country. He reviewed the course of events, and assumed that the South had but one path to pursue—either to obtain a concession to her demands or to withdraw from the Union. The nature of these demands he thus stated:

"I now ask what should be

Hunter's Speech. the nature of that guarantee that would effectually protect

our social system from such assaults as these? They must be guarantees of a kind that will stop up all the avenues through which they threaten to assail the social system of the South. There must be Constitutional amendments which should provide, *First*, That Congress shall have no power to abolish Slavery in the States or the District of Columbia, or the dockyards, forts and arsenals of the United States.

"*Second*: Congress shall not abolish, tax, or obstruct the Slave-trade between the States.

"*Third*: It shall be the duty of each of the States to suppress combination within its jurisdiction, for the armed invasion of any other State.

"*Fourth*: States shall be admitted, with or without Slavery, according to the election of the people.

"*Fifth*: It shall be the duty of the States to restore fugitive slaves, or pay the value of the same.

"*Sixth*: Fugitives from justice shall be deemed to be those who have offended the laws of a State within its jurisdiction, and have escaped therefrom.

"*Seventh*: Congress shall recognize, and protect as property; what is held to be such by the laws of any State, in the Territories, dockyards, arsenals, forts, and wherever the United States has exclusive jurisdiction. These are, of course, liable to exceptions—*First*: Congress may leave Slavery to the people of the Territories, when they shall be ready to pass into the condition of a State, with the usual sanction of a majority of Senators from the non-Slaveholding States. This exception is designed to

apply to those cases when we annex a country, and they are not quite ready to come in as a

Hunter's Speech.

State. The next exception is, that Congress may divide the Territories, so that Slavery shall be prohibited in one portion, and be recognized and protected in the other; provided the law is sanctioned by a majority of Senators. This exception is intended to apply to cases when unpeopled Territory is annexed, and is subject to fair division between sections."

But these were not all that were necessary to preserve the South from encroachments. He assumed the unequivocal position that she must have guarantees of *power* as well as guarantees of principle, otherwise the South would be at the mercy of the majority of the North. It would, therefore, be necessary to modify the system of government, so as to give each section a constant representative in the Presidential chair. As this scheme has found some favor among "re-constructionists," we may give the Senator's propositions on this head:

"In the first place I would resort to a dual Executive, as proposed by Mr. Calhoun, but in another form. I would provide that each section should elect a President, to be called the First and Second President, the first to serve for four years, and the President next succeeding him to serve for four other years, and afterward be reeligible. During the term of the President the Second should be President of the Senate, having a casting vote in case of a tie. No treaty should be valid which did not have the signature of both Presidents, and be sanctioned by two-thirds of the Senate. No law should be valid which was not signed by both Presidents, or, in the event of a veto, be passed by the sanction of a majority of the Senators from the section from which he came. And no officers should be appointed unless with the sanction of both Presidents, or the sanction of a majority of the Senators from whence they are appointed. And, Sirs, I would change, if I had the power, the mode of electing these Presidents. I would provide that each State should be divided into Presidential electoral districts. Each district should elect one man as Elector, and these Electors should meet in one chamber, and the two men who, after a certain number of ballots, should receive the highest number of votes, should be submitted as candidates to the people, and he should be declared President who should have the majority of districts. I would do this to destroy the chances of a combination, for purposes of power and patronage. I would substitute this instead of a National Convention. I would diminish

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the temptations to all such corrupt combinations for spoils and patronage, by the fact that one of the Presidents that would be elected would have four years to serve before he could take the power. Meantime he would be in training for four years, as President of the Senate, and using the veto power.

"But I go further. I believe the working of our present Executive system would destroy this Government by dissolution, or by turning it into a despotism, in the end, if some amendments are not made. The working of this Executive is such as to bring up a party whose very existence depends upon spoil and plunder. I have heard Mr. Calhoun say often, that the conflict in every Government would be conflicts between two parties, which he called the tax-paying party and the tax-consuming party—the one dependent entirely upon the spoils of office, and the other, the tax-paying party, which made the contributions to the Government and expected nothing in return except from the general benefits of legislation. He said, and wisely said, in my opinion, that whenever this tax-consuming party got entire possession, disunion would follow, and the Government must cease or take an entirely different form. I say the working of our present system is such as to give rise to such a party in the country, and some change must be made, or else it will eventually end in despotism.

"Now, Sir, the check which I propose not only remedies this evil, and gives a sectional check, when a sectional check is necessary, but it would do much to purify the general legislation of the country, and renovate the public morals of the land. I do believe that this single change would do more to give us a permanent Government than any other which could be made, but it is not the only check which ought to be introduced, for some of the most important objects of this Constitution are now left simply to the discretion of the States. There is a large class of rights for which there is no remedy, or next to none. Those provisions which are designed to secure free trade and free intercourse between the States—most of them are left to the States. They can pass laws to tax the commodities of an obnoxious State. I believe, myself, it was intended by the framers of the Constitution that the States should be instrumental in restoring fugitive Slaves, and we know it is in their power to obstruct and actually to impede the Government of the United States. Now, Sir, I proposed, in order to secure the proper enforcement of these rights, that the Supreme Court should also be readjusted so as to consist of ten members, five from each section, the Chief Justice to be one of the five; and I would allow any State to bring another State before it, on a charge of having failed to dis-

charge its constitutional obligations; and then, if the Court found the State to be in fault,

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then, Sir, I would have, if it did not repair the wrong, that any other State might deny all privileges to its citizens, and that all the States might tax its commerce until it ceased to be in fault. Thus I would provide a remedy without bringing the General Government in collision with the States, and I would give the States, in such cases, the right of denying the discharge of any obligation which they may have incurred. In this way I believe these wrongs might be remedied, without producing any collision or jarring. In order to make this complete, it should be provided that the Judges of the Supreme Court in each section should be appointed by the President from that section, and that is the only original appointing power, I would give the second President."

He adverted at some length, and with great argumentative force, to the questions of secession, coercion and the enforcement of the laws. Call it what you may, secession was a fixed fact, and that the constitutional power did not exist to coerce a State he believed to be incontestible. His argument on the question of the relative and positive rights of a State was very able—by far the most able of any made by any Southern member. It was subtle, forcible and very plausible. Its great length forbids us from drawing upon the verbatim report. As a logical deduction of his argument, he added:—

"But will this be possible if we have a civil war? I ask if the Republicans are willing to add civil war to the long catalogue of enormities for which they have to answer hereafter? Is it not enough, that they have marched into power over the ruins of the Constitution? Is it not enough that they have seized this Government at the expense of the Union? Will not it satisfy them unless they add civil war? * * How will they settle with their own consciences? How will they settle with humanity, for having crushed the highest capacity for usefulness, progress to development, that was ever bestowed on man? Sir, what judgment will posterity pronounce upon them for their unhallowed ambition? Will it not say, 'you found peace, and established war; you found an Empire and a Union, and you rent them into fragments?' And more awful still, what account will they render at the bar of Heaven? When from many a burning homestead, and many a bloody battle field, a spectral host shall appear to accuse them—when the last wail of suffering childhood shall arise from the depths of the grave, to make its feeble plaint against them, and the tears of helpless women

Hunter's Speech. shall plead against them, for her wounded honor, in her speechless woe and despair—how will they account for it before man and before God, before earth and before Heaven, if they close in blood this great American experiment, which was inaugurated by Providence in the wilderness, to insure peace on earth and good will to men? * * *

It is said that the very smell of blood stirs the animal passions of men. Give us time for the play of reason. Let us see, after the States have secured in themselves their old organization and their old system—let us see if we cannot bring together once more our scattered divisions, if we cannot close up our broken ranks, and cannot find some plan of conciliation. And when those columns come mustering in from the distant North, and the further South, from the rising to the setting sun, to take their part in that grand review, there will go up a shout that will shake the heavens, and which shall proclaim to the ends of the earth that we are united once more—brothers in war, brothers in peace, ready to take our place in the front of that grand march of human progress, and able and willing to play in that game of nations where the prizes are wealth and empire, and where victory may crown our name with deathless and eternal fame."

Mr. Harlan, of Iowa, followed, confining his remarks chiefly to the Fugitive Slave law and the impropriety of the presumption fostered by Southern men that the majority should submit to the minority. He conceived that human liberty, liberty of speech, of the press, of the conscience, of government, of religion—all were at stake; if the North yielded, all were in peril, and society itself would be shocked to its very centre by such a "compromise."

Nothing of moment transpired in the House, during Friday.

Mr. Seward's Speech. Saturday's session of the Senate was rendered memorable by Mr. Seward's long expected speech. It called together a vast audience. The speaker's position as the accredited Secretary of State of the incoming administration rendered his words of more than usual weight. He was to pronounce for peace or war—to decide if the seceding states should be permitted to depart in peace, or be held responsible at the bar of Executive power. If compromise was possible he was to indicate it.

After adverting to the happy auspices of

the preceeding session, and the calamities which were impending at the moment, Mr Seward's Speech. he confessed that the alarm was appalling. Union is not more the body than Liberty is the soul of the nation. The American citizen, therefore, who has looked calmly at revolution elsewhere, and believed his own country free from its calamities, shrinks from the sight of convulsive indications of its sudden death. He knew how difficult it was to decide, amid so many and so various counsels, what ought to, or even what can, be done. But, it was time for every Senator to declare himself. He, therefore, declared his "adherence to the Union in its integrity and with all its parts, with my friends, with my party, with my state, with my country, or without either, as they may determine, in every event, whether of peace or of war, with every consequence of honor or dishonor, of life or of death."

This fine sentiment was the key-note to his entire speech; to the defence and illustration of that stand-point he brought to bear all the power of his eloquence, all the force of his logic, all the resources of his accomplished intellect. The effort cost him sacrifices, since, before war he chose peace, and for peace he would compromise to the last verge of propriety. This position lifted him above those of his party who had declared against compromise, and, to some degree, served to argue a difference in policy from the President-elect, whose first minister he was to become.* For that reason it created comment, though, as a whole, its general impression was eminently satisfactory to the large majority in the Free States, and to many in the Slave States who still hoped for adjustment.

It was, he said, easy to say what would *not* save the Union. Mere eulogiums would not,

* The N. Y. *Tribune*, late in December, had inserted the following as a "double-leaded" editorial:

"We are enabled to state in the most positive terms, that Mr. Lincoln is utterly opposed to any concession or compromise that shall yield one iota of the position occupied by the Republican party on the subject of Slavery in the Territories, and that he stands now, as he stood in May last, when he accepted the nomination for the Presidency, square upon the Chicago Platform."

mutual criminations would not, a continuance of the debate on the power of Congress over Slavery in the Territories would not. The Union could not be saved even by proving secession illegal and unconstitutional, and little more would be gained by proving the right of the Federal Government to coerce a Seceding State to obedience. All must give place to the practical question—have many Seceding States the right to coerce the remaining members to acquiesce in a dissolution?

Congressional Compromises, as such, he assumed, were not calculated to save the Union. He said: "I know that tradition favors this form of remedy. But, it is essential to success, in any case, that there be found a preponderating mass of citizens, so far neutral on the issue which separates parties, that they can intervene, strike down clashing weapons, and compel an accommodation. Moderate concessions are not customarily asked by a force with its guns in battery; nor are liberal concessions apt to be given by an opposing force not less confident of its own right and its own strength. I think, also, that there is a prevailing conviction that legislative compromises which sacrifice honestly-cherished principles, while they anticipate future exigencies, even if they do not assume extra-constitutional powers, are less sure to avert imminent evils than they are certain to produce ultimately even greater dangers." He thought, therefore, that it would be wise to discard two prevalent ideas or prejudices, viz: that the Union was to be saved by somebody in particular, or was to be preserved by some cunning and insincere compact of pacification.

After referring, at some length, to the facts of the consolidation of the States to form a Government capable of acting as a central power and a unit—of enforcing its powers and sustaining its rights, he proceeded to show, that, laying aside all passion, all prejudice, all pique, the Union was essential to the prosperity and development of the American people. "Notwithstanding, recent vehement expressions and manifestations of intolerance in some quarters, produced by intense partisan excitement, we are, in fact, an homogeneous people, chiefly of one stock, with accessions well assimilated. We have, practically, only

one language, one religion, one system of Government, with manners and customs common to all." He adverted to the impossibility of such a people, divided, being prosperous and happy—to their intricate relations and the necessities of a war footing to guard against each other's encroachments and assumptions. "Universal suffrage and the absence of a standing army are essential to the Republican system." A state of military defence would inevitably produce a military demoralization, and, eventually, a military despotism. He then entered upon a consideration of the causes of the impending dissolution of the political bond of Union. We quote:

"*First*: It is only sixty days since this disunion movement began; already, those who are engaged in it have canvassed with portentous freedom the possible recombinations of the States when dissevered, and the feasible alliances of those recombinations with European nations—alliances as unnatural and which would prove ultimately as pestilential to society here as that of the Tlascalans with the Spaniard, who promised them revenge upon their ancient enemies, the Aztecs.

"*Secondly*: The disunion movement arises partly out of a dispute over the common domain of the United States. Hitherto the Union has confined this controversy within the bounds of political debate by referring it, with all the national ones, to the arbitrament of the ballot-box. Does any one suppose that disunion would transfer the whole domain to either party, or that any other umpire than war would, after dissolution, be invoked?

"*Thirdly*: This movement arises, in another view, out of the relation of African slaves to the domestic population of the country. Freedom is to them, as to all mankind, the chief object of desire. Hitherto, under the operation of the Union, they have practically remained ignorant of the controversy, especially of its bearing on themselves. Can we hope that flagrant civil war shall rage among ourselves in their very presence, and yet that they will remain stupid and idle spectators? Does history furnish us any satisfactory instruction upon the horrors of civil

Mr. Seward's Speech.

Mr. Seward's Speech.

Mr. Seward's Speech. war among a people so brave, so skilled in arms, so earnest in conviction, and so intent in purpose, as we are? It is a mere chimera which suggests an aggravation of those horrors beyond endurance when, on either side, there shall occur the intervention of an uprising ferocious African slave population of four, or six, or perhaps twenty millions?"

He reviewed the whole change in the public sentiment of the world in regard to Slavery, during the last century. One hundred years ago all commercial European states were engaged in transferring slaves from Africa to America. Now all these States were inimical even to the holding of slaves. Opposition to it has assumed two forms;—one, European, which is simple, direct abolition, effected, if need be, by compulsion; the other, American, which seeks to arrest the African slave trade and to resist the entrance of the institution of Slavery into the Territories, while it leaves the disposition of existing Slavery to the considerate action of the States by which it is retained. It is the Union which restricts the opposition to Slavery, in this country, within these limits. If dissolution prevail what guarantee shall there be against the full development, here, of the fearful and uncompromising hostility to Slavery which elsewhere pervades the world, and of which the recent invasion of Virginia, (John Brown's attempt), was an illustration?

Dissolution, indeed, he assumed, would not only arrest, but would extinguish the greatness of this country. "Dissolution would signalize its triumph by acts of wantonness which would shock and astound the world. It would provincialize Mount Vernon and give this Capitol over to desolation at the very moment when the dome is rising over our heads that was to be crowned with the statue of Liberty. After this there would remain for disunion no act of stupendous infamy to be committed. No petty confederacy that shall follow the United States can prolong, or even renew, the majestic drama of National progress. Perhaps it is to be arrested because its sublimity is incapable of continuance. Let it be so, if we have indeed become degenerate. After Washington, and

the inflexible Adams, Henry, and the peerless Hamilton, Mr. Seward's Speech. Jefferson, and the majestic Clay, Webster, and the acute Calhoun, Jackson, the modest Taylor, and Scott, who rises in greatness under the burden of years, and Franklin, and Fulton, and Whitney, and Morse, have all performed their parts, let the curtain fall!"

He discoursed, with great feeling, upon the shattered prosperity which must result from a dismemberment of the Confederacy. Everywhere a dark hand would be laid upon enterprise to smother it. The pioneer would draw back from the plains of the West, while the savage Red Man would once more rise in his vengeance to drive back the hated invader of his land. Our ships-of-war, now commanding the respect and admiration of the civilized world, as types of our commercial and political greatness, would sail hither and thither, scarcely observed. Public liberty—our own peculiar liberty, would languish and then cease to live. Over all would rise the hateful forms of a military despotism.

He then proceeded to examine into the causes of this sudden and eternal sacrifice of so much safety, greatness, happiness and freedom. Have foreign nations combined for our overthrow and subjugation? No! They are all interested and admiring friends. Has the Federal Government become tyrannical or oppressive, or even rigorous or unsound? Has the Constitution lost its spirit, and all at once collapsed into a lifeless letter? No; the Federal Government smiles more benignantly, and works to-day more benignly than ever. The Constitution is even the chosen model for the organization of the newly rising confederacies! What, then, can excuse the mighty crime of disunion and its train of anarchy, of wrong, of incalculable injury to society, to intelligence, to liberty to happiness?

"The justification it assigned was that Abraham Lincoln had been elected, while the success of either one of three other candidates would have been acquiesced in. Was the election illegal? No, it is unimpeachable. Is the candidate personally offensive? No, he is a man of unblemished virtue and amiable manners. Is an election of President an unfrequent or extraordinary transaction? No, we never had a Chief Magistrate otherwise desig-

Mr. Seward's
speech.

nated than by such election, and that form of choice is renewed every four years. Does any one even propose to change the mode of appointing the Chief Magistrate? No; election by universal suffrage, as modified by the Constitution, is the one crowning franchise of the American people. To save it they would defy the world. Is it apprehended that the new President will usurp despotic powers? No; while he is of all men the most unambitious, he is, by the partial success of those who opposed his election, subjected to such restraints that he cannot, without their consent, appoint a minister or even a police agent, negotiate a treaty, or procure the passage of a law, and can hardly draw a musket from the public arsenals to defend his own person."

The ground of real discontent, he said, lies in the fact that the disunionists did not accept as conclusive the arguments which were urged in behalf of the successful candidate in the late canvass—this is all! Does the Constitution, in letter or spirit, imply that the arguments of one party shall be satisfactory to the other? No, that is impossible. What is the constitutional remedy for this inevitable dissatisfaction. Renewed debate and ultimate rehearing in a subsequent election. Have the now successful majority perverted power to the purposes of oppression? No, they have never before held power. Alas! how prone we are to undervalue privileges and blessings. How gladly, how proudly, would the people of any nation in Europe accept, on such terms as we enjoy it, the boon of electing a Chief Magistrate every four years by free, equal, and universal suffrage? How thankfully would they cast aside all their own systems of government, and accept this Republic of ours, with all its shortcomings and its disappointments, maintain it with their arms, and cherish it in their hearts. Is it not the very boon for which they supplicate God without ceasing, and even wage war, with intermissions only resulting from exhaustion?

The spirit of disunion, he averred, sprung from a class of citizens living in the States bordering the delta of the Mississippi. They have, for thirty years or more, believed that the Union was less conducive to their welfare than would be a smaller confederacy of Slave States. Availing themselves of the

discontents arising from defeat at the ballot-box, they hastened to put into operation the machinery of dissolution long ago prepared, and only awaiting the propitious occasion for its use.

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In all the Slave States there is, he remarked, a restiveness under the resistance offered by the Free States to the extension of Slavery in the common Territories of the United States. The Republican party, which has offered this resistance, and which elected its candidate for President on that policy, has been allowed, practically, no representation, no utterance, by speech or through the press, in the Slave States; while its policy, principles, and sentiments, and even its temper have been so misrepresented as to excite apprehensions that it denies important Constitutional obligations, and aims even at interference with Slavery, and its overthrow by State authorities, or intervention by the Federal Government. Considerable masses, even in the Free States, interested in the success of these misrepresentations as a means of partisan strategy, have lent their sympathy to the party aggrieved. While the result of the election brings the Republican party necessarily into the foreground in resisting Disunion, the prejudices against them have deprived them of the cooperation of many good and patriotic citizens. On a complex issue between the Republican party and the Disunionists, although it involves the direst national calamities, the result might be doubtful; for the Republican party is weak in a large part of the Union. But on a direct issue, with all who cherish the Union on one side, and all who desire its dissolution by force on the other, the verdict would be prompt and almost unanimous.

But everything, he averred, is subordinate to the Union; Republicanism, Democracy, and every other political name and thing ought to disappear before the great question of Union or dissolution. He said:—

"If others shall invoke that form of action to oppose and overthrow Government, they shall not, so far as it depends on me, have the excuse that I obstinately left myself to be misunderstood. In such a case I can afford to meet prejudice with conciliation, exaction with concession which surrenders no

principle, and violence with the right hand of peace. Therefore, Sir, so far as the abstract question whether, by the Constitution of the United States, the bondsman, who is made such by the laws of a State, is still a man or only property, I answer that, within that State, its laws on that subject are supreme; that when he has escaped from that State into another, the Constitution regards him as a bondsman who may not, by any law or regulation of that State, be discharged from his service, but shall be delivered up, on claim, to the party to whom his service is due. While prudence and justice would combine in persuading you to modify the acts of Congress on that subject, so as not to oblige private persons to assist in their execution, and to protect freemen from being, by abuse of the laws, carried into Slavery, I agree that all laws of the States, whether Free States or Slave States, which relate to this class of persons, or any others recently coming from or resident in other States, and which laws contravene the Constitution of the United States, or any law of Congress passed in conformity thereto, ought to be repealed.

"*Secondly*: Experience in public affairs has confirmed my opinion that domestic Slavery, existing in any State, is wisely left by the Constitution of the United States exclusively to the care, management and disposition of that State; and if it were in my power, I would not alter the Constitution in that respect. If misapprehension of my position needs so strong a remedy, I am willing to vote for an amendment of the Constitution, declaring that it shall not, by any future amendment, be so altered as to confer on Congress a power to abolish or interfere with Slavery in any State.

"*Thirdly*: While I think that Congress has exclusive and sovereign authority to legislate on all subjects whatever in the common Territories of the United States, and while I certainly shall never, directly or indirectly, give my vote to sanction or establish Slavery in such Territories, or anywhere else in the world, yet the question what Constitutional laws shall at any time be passed, in regard to the Territories is, like every other question, to be determined on practical grounds. I voted for enabling acts in the cases of Oregon, Minnesota and Kansas, without being able to secure in them such provisions as I would have preferred—and yet I voted wisely. So now, I am well satisfied that, under existing circumstances, a happy and satisfactory solution of the difficulties in the remaining Territories would be obtained by similar laws, providing for their organization, if such organization were otherwise practicable. * * I hold and cherish, as I have always done, the principle that this Government exists in its present form only by the consent of the governed, and that it is as

necessary as it is wise, to resort to the people for revisions of the organic law, when the troubles and dangers of the State certainly transcend the powers, delegated by it to the public authorities. Nor ought the suggestion to excite surprise. Government, in any form, is a machine; this is the most complex one that mind of man has ever invented, or the hand of man has ever framed. Perfect as it is, it ought to be expected that it will, at least as often as once in a century, require some modification to adapt it to the changes of society and alternations of empire.

"*Fourthly*: I hold myself ready now, as always heretofore, to vote for any properly guarded laws which shall be deemed necessary to prevent mutual invasions of States by citizens of other States, and punish those who shall aid and abet them. * * I learned early from Jefferson that, in political affairs, we cannot always do what seems to be absolutely best. Those with whom we must necessarily act, entertaining different views, have the power and the right of carrying them into practice. We must be content to lead when we can, and to follow when we cannot lead; and if we cannot at any time, do for our country all the good that we would wish, we must be satisfied with doing for her all the good that we can.

"Having submitted my own opinions on this great crisis, it remains only to say that I shall cheerfully lend to the Government my best support in whatever prudent yet energetic efforts it shall make to preserve the public peace, and to maintain and preserve the Union, advising only that it practice, as far as possible, the utmost moderation, forbearance and conciliation."

His closing words created much enthusiasm in the galleries. The entire speech was canvassed, in and out of Congress, with freedom and feeling; but, as we have remarked, it appeared, as a general thing, to satisfy. Looking at it in a historic sense, we now perceive that its spirit and meaning were as much for the future as for the hour. It was as subtle as eloquent—as politic as profound—as deliberate as earnest; and, though it may detract from its candor, it will add to its wisdom, to aver that the statesman was compassing his ultimate ends, in declarations for conciliation—in his pleas for the blending of all political parties—in that of devotion to the Union. Throughout all the Free States public sentiment was taking an unmistakable direction, the people were ripe for the rallying cry, "The Union!" In it Mr. Seward, with a quick apprehension of the perils

awaiting the new administration, beheld the only instrument of its salvation—the tower of its strength. Therefore, apparently casting aside, even his Republicanism—apparently repudiating the policy of the Republican leaders and of Mr. Lincoln, he struck the chord which afterward, and soon, became the Nation's rallying call. Mr. Lincoln went into office as a Unionist, rather than as a Republican, and Mr. Seward, like a Jove, contolling the thunderbolts, directed all the terrible thunders and lightnings of the people, subtly but surely, against the enemies of the Executive.

The Saturday's proceedings in the House of Representatives assumed a peculiar face.

The Speaker laid before the House a communication from the Mississippi delegation stating that they had received official information that their state had passed an ordinance through a Convention representing the sovereignty of the people, by which the State has withdrawn from the Federal Government all powers heretofore delegated to it, and that they thought it their duty to lay the fact before the House and withdraw themselves from the further deliberations of that body. While they regret the necessity for this action, they approbate it, and will return to her bosom to share her fortunes through all their phases.

Mr. Jones, of Georgia, moved that the names of the Representatives of South Carolina and Mississippi be stricken from the roll of the House, and not called by the Clerk hereafter. Republicans objected; and demanded the yeas and nays on the motion. Burnett, of Kentucky, assumed that these gentlemen have withdrawn from the House, and that it cannot be assumed that they are now members of the House. Being asked if he considered that they had resigned their seats he answered:—"I do; and not only this, but that they are out of the Union by the action of their respective States." The Speaker cut off further remarks by ruling that the objection to the motion excluded it from consideration.

The Army and Navy appropriation bills were then considered in Committee of the whole. Burnett, of Kentucky, wished to know whether it would be in order to make a speech showing that these appropriations should not be made. He believed from the present movements of the Army and Navy, they were to be used against a portion of the States recently belonging to the confederacy. The Chair decided against general debate, and was sustained by the House. This decision greatly displeased and disconcerted Southern members, who, generally, had resolved to "ventilate" the question of the future use of the Army and Navy. Pryor, of Virginia, determined, notwithstanding the decision against debate, to "indulge" himself with "a few remarks," which proved of so violent a character as to compel his colleague, Mr. Clemens, to call him to order. Among other things he said:—

"Forts are garrisoned with the avowed intention of subjugating and overawing sov-

Roger A. Pryor's
Tirade.

erign States. Even in this District, masses of mercenaries are accumulating to inaugurate a President's election in blood. The Republican principle of an antique liberty forbade the presence of a Commissioner-General within the walls of Rome, but it was for this country alone, with all its maxims of republican liberty to banish those principles from the councils of a most detestable and wicked administration. [Ironical laughter from the Republican benches.] Confining myself within the limits of debate, before I conclude, I must, on this occasion, avail myself of the opportunity to give warning to the people of Virginia, that the Government is making every warlike preparation to subject them to the tyranny of federal oppression by means of compulsion and force. I would implore them, by every consideration of safety and honor, to prepare for the contest that is rapidly approaching. For myself, I will discharge my duties here by opposing every appropriation for an Army and Navy to be employed in this most nefarious and tyrannous warfare."

After an understanding that the Army Appropriation bill should have three days allotted for its discussion, the Navy Appropriation bill passed, when the House adjourned it to Monday.

CHAPTER IX.

PROGRESS OF THE REVOLUTION. THE SECESSION OF MISSISSIPPI, FLORIDA, ALABAMA, GEORGIA AND TEXAS. THE ORDINANCES. CONCURRENT PROCEEDINGS OF THE CONVENTIONS. SEIZURES OF FORTS, ARSENALS, REVENUE CUTTERS. CUSTOM-HOUSES, MINT, ETC., ETC. DEFECTION OF SOUTHERN OFFICERS IN THE ARMY AND NAVY.

THE Mississippi State Convention assembled at Jackson, Monday, January 7th. Prior to organization a majority of the delegates assembled in caucus, and adopted a resolution requesting the President of the Convention, when elected, to appoint a committee to draft the Ordinance of Secession. This early expression indicated the sentiments of the Convention. The Convention assembled at noon, and, after a brief balloting, organized permanently by electing A. J. Barry, of Lowndes, President. A resolution soon passed that a Committee of Fifteen be appointed by the President with instructions to prepare and report, as speedily as possible, an Ordinance of Secession, providing for the immediate withdrawal of Mississippi from the Federal Union, *with a view of establishing a new Confederacy, to be composed of the Seceding States.*

This Committee, chosen Tuesday, reported Wednesday, in secret session, the Ordinance of Secession, which was adopted, on that day, by a vote of 84 to 15. It was as follows:

"The people of Mississippi, in Convention assembled, do ordain and declare, and it is hereby ordained and declared, as follows, to wit:

"That all the laws and ordinances by which the said State of Mississippi became a member of the Federal Union of the United States of America be, and the same are hereby repealed; and that all obligations on the part of said State or the people thereof to observe the same be withdrawn, and that the said State shall hereby resume the rights, functions, and powers which by any of said laws and ordinances were conveyed to the Government of the said United States, and is dissolved from all the obligations, restraints, and duties incurred to the said Fed-

eral Union, and shall henceforth be a free, sovereign, and independent State."

The second section abrogates the Article in the State Constitution requiring all public officers to swear to support the Constitution of the United States. The third section continues in force all State and Federal laws not inconsistent with the ordinance. The fourth section relates to the formation of a Southern Confederacy, to be composed of the Seceded States.

The Commissioner from South Carolina addressed the Convention, Friday. The Governor issued, on Friday, a call to the military of the State to be in readiness at a moment's warning. The Convention formally recognized (January 11th) South Carolina as sovereign and independent.

The action of the Convention created great enthusiasm among the people. There were those, however, who viewed the act as revolutionary and unconstitutional under the organic law of the State. The Convention assumed *supreme authority* in the matter—adopting the ordinance, and instituting a new order of things without any reference to the people. This most undemocratic proceeding awakened much determined opposition; but, this opposition had to give way before the violent tone and imperative spirit of the unconditional secessionists. The *Natchez Courier*, of January 10th, thus adverted to the *illegality* of the Convention's proceedings:

"The Constitution of the State is what we are sworn to obey. It prescribes the method of its own alteration. That method has not been followed, and yet the Constitution will be essentially altered. Unquestionably the people of the State can revolutionize. A majority of them can call a Convention to

provide a new Constitution. But the question of 'Convention or no Convention' has never been submitted to them. It is also possible that a Convention can be called by the Legislature without the assent of the people, though in our opinion a very questionable proceeding; but its acts, in that case, can be valid only when they have received the affirmative vote of the people. Of the 70,000 voters of Mississippi, not 45,000 voted for members of the Convention, and of these only a lean majority, or one falling far below the expectations of the disunion leaders, voted for immediate Secession candidates."

Not the least remarkable facts of all that wild, irrational revolution, were the overriding of the State Constitutions and of a total repudiation of the voice of the people. Not one of the Gulf States, first in revolution, submitted the ordinances of secession to a vote of the people! Not a single State of these which first organized the new "Confederacy" allowed the people one particle of authority or voice in the matter! The Conventions decreed—as summarily, as arbitrarily, as relentlessly as the French Chambers of Deputies, obeying the behests of Napoleon. Napoleon's usurpations received the sanction of the French people just as completely as the *usurpations* of the State Conventions and the "Confederate Congress" received the sanction of the *people* of the Slave States.*

Although the Florida State Convention assembled January 3d, it was not until January 11th that the Ordinance of Secession passed. On the 7th, as preliminary to the act, Judge McIntosh introduced the following:—

"Whereas, All hope of preserving the Union upon terms consistent with the safety and honor of the Slaveholding States has been finally dissipated by the recent indications of the strength of the Anti-Slavery sentiment of the Free States; therefore,

"Be it resolved by the people of Florida, in Convention assembled, That it is undoubtedly the right of the several States of the Union to withdraw from the said Union at such time and for such cause as in the opinion of the people of such State, acting in their sovereign capacity, may be just and proper; and, in the opinion of this Convention, the existing causes are such as to compel Florida to proceed to exercise that right."

* See Chap. X. "The People Overruled."

This was adopted by a vote of 62 to 5.

On the same day the Commissioners for Alabama and South Carolina addressed the Convention. Judge McIntosh's resolution succeeded their addresses. The Ordinance of Secession passed January 10th, by a vote of 62 to 7. It read as follows:

"We, the people of the State of Florida in Convention assembled, do solemnly ordain, publish, and declare that the State of Florida hereby withdraws herself from the Confederacy of States existing under the name of the United States of America, and from the existing Government of the said States; and that all political connection between her and the Government of said States ought to be, and the same is hereby totally annulled, and said Union of States dissolved; and the State of Florida is hereby declared a Sovereign and independent nation; and that all ordinances heretofore adopted, in so far as they create or recognize said Union are rescinded; and all laws, or part of laws, in force in this State, in so far as they recognize or assent to said Union, be and they are hereby repealed."

This was engrossed and signed on the 11th. It was followed by great popular demonstrations of approval in the way of gun-firing, displays of flags, illuminations, popular meetings, &c.

On the 12th, the Pensacola Navy-yard, Dry-dock, Store-houses, and, afterwards, Forts Barrancas and McRae, were seized by order of the Governor of Florida. About one hundred armed men from Alabama and Florida appeared at the Yard on the morning of the 12th, and demanded of Commander Armstrong the peaceable surrender of the posts. This was complied with, and the troops with their arms and baggage were transferred to a United States vessel of war for transportation North. The entire property of the Government at Pensacola thus passed into the possession of the revolutionists—the fort on Santa Rosa Island alone excepted. This surrender was justified by officer Armstrong, at his Court Martial trial a few weeks subsequently, by the fact of his leading officers, Capt. Renshaw, and Commander Farrand, *cooperating* with the revolutionists. They were Mr. Floyd's chosen agents for the act.

[The Court, we may here say, dismissed the officer for the surrender. Beyond question he could have held possession until, at least,

a portion of the property in the Yard and Forts had been secured. Lieut. Slemmer, a Northern man, in temporary command at Fort McRae, discovering the treachery, resolved not to surrender. He hurriedly arranged to evacuate McRae, and proceeded, with his company of eighty men, to Fort Pickens, on Santa Rosa Island, a very heavy fortification, with a double tier of casemates. Aided by the marines from the Sloop of War *Wyandotte*, he immediately began to prepare for an expected assault on the land side of the fort, where it was comparatively defenseless. His reply to the demand to deliver up the fort was:—"I have orders from my Government to defend this fort, and I shall do so to the last extremity." Slemmer soon obtained most of the artillerymen from Fort Barrancas, and secured a few of the loyal men from the Navy-yard, who disdained to accede to the infamous "parole" given by their officers. Working night and day, he was soon able to keep at bay the "combined" forces sent by the revolutionists to take the fort. Flag officer, Capt. Renshaw, and Commander Farrand, were both deeply implicated in the surrender. They both were in league with the conspirators, and really betrayed the post into their hands. Their names are embalmed in the "black roll" of the Government, whose honor they betrayed.]

The Alabama State Convention assembled at Montgomery, Monday, January 7th. On the 8th, the South Carolina Commissioners addressed the Convention. A Committee of Thirteen was appointed on that day, to consider the action proper for the State. Secret Sessions were resolved upon. The Ordinance was reported, January 11th, and passed by a vote of 61 to 39. The instrument, as engrossed, read:

"An Ordinance to dissolve the Union between the State of Alabama and other States united under the compact and style of the United States of America.

"Whereas, The election of Abraham Lincoln and Hannibal Hamlin to the offices of President and Vice-President of the United States of America, by a sectional party, avowedly hostile to the domestic institutions, and peace and security of the people of the State of Alabama, following upon the heels of many and dangerous infractions of the Constitution of the

United States by many of the States and people of the Northern section, is a political wrong of so insulting and menacing a character as to justify the people in the State of Alabama in the adoption of prompt and decided measures for their future peace and security.

"Therefore, be it declared and ordained by the people of the State of Alabama, in Convention assembled, that the State of Alabama now withdraws itself from the Union known as the United States of America, and henceforth ceases to be one of the said United States, and is, and of right ought to be, a sovereign independent State.

"SEC. 2. And be it further declared by the people of the State of Alabama, in Convention assembled, that all powers over the Territories of said State, and over the people thereof, heretofore delegated to the Government of the United States of America, be, and they are hereby withdrawn from the said Government and are hereby resumed and vested in the people of the State of Alabama.

"And as it is the desire and purpose of the people of Alabama to meet the Slaveholding States of the South who approve of such a purpose, in order to frame a provisional or a permanent government upon the principles of the Government of the United States; be it also resolved by the people of Alabama, in Convention assembled, that the people of the States of Delaware, Virginia, Maryland, North Carolina, South Carolina, Florida, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky and Missouri, be, and they are hereby invited to meet the people of the State of Alabama by their Delegates in Convention, on the 4th day of February next, in Montgomery, in the State of Alabama, for the purpose of consultation with each other, as to the most effectual mode of securing connected harmonious action in whatever measures may be deemed most desirable for the common peace and security.

"And be it further Resolved, That the President of this Convention be and he is hereby instructed to transmit forthwith, a copy of the foregoing preamble, ordinance and resolutions to the Governors of the several States named in the said resolutions.

"Done by the people of Alabama, in Convention assembled at Montgomery, this eleventh day of January, eighteen hundred and sixty-one."

Prior to the assembling of the Convention, the Arsenal below Mobile, and Fort Morgan, commanding the channel to Mobile bay, were seized (January 4th) by order of Governor Moore. In the arsenal were 20,000 stand of arms, 1,500 barrels of powder, and a large stock of munitions, equipments, body arms, &c., all very providently transferred by Mr.

Floyd, from the manufacturing depots in the North, to be ready for seizure. Fort Morgan, a fine fortification, costing the government, in its construction, over one and a quarter millions of dollars, was held by a mere guard, which surrendered, upon demand, to a force of two hundred men. It was very fully mounted with new and superior guns, and well stocked with all the *matériel* of war, in the way of munitions and stores.

[Although somewhat anticipating the chronological allotment of this chapter, we shall, in order to group the "original seven" seceded States, in a consecutive narrative of their action, here advert to the proceedings of the Conventions of Georgia, Louisiana and Texas.]

The Georgia Convention assembled at Milledgeville Wednesday, January 16th.

George W. Crawford was elected permanent President. After organization a Committee was named, to wait upon Mr. Orr, Commissioner from South Carolina, and Mr. Shorter, Commissioner from Alabama, to request them to communicate their mission. These gentlemen delivered addresses before the Convention, Thursday, in advocacy of immediate secession and the formation of a Southern Confederacy. Friday, the session was in secret. A test vote was had by the introduction of a resolution, declaring the right and necessity for secession from the Federal Union, which was carried by a majority of thirty-five. Herschell V. Johnson introduced, as a substitute for this resolution, others, looking to cooperation and a Convention of Southern States at Atlanta, in February. This substitute was rejected by a stronger vote than was given for the original resolution. During the very anxious and exciting debate which followed, Mr. A. H. Stephens, seeing how fully determined the Convention was on secession, advised that it be immediate. This advice really gave his "conservative" influence to the immediate action party, led by Messrs. Toombs and Howell Cobb. The Ordinance of Secession was introduced Saturday morning, and passed at two p. m., by a vote of 208 to 89—Messrs. A. H. Stephens and Herschell V. Johnson voting in the negative. The Ordinance read as follows:

"An Ordinance to dissolve the Union between the State of Georgia and other States united with her under

the compact of government entitled the Constitution of the United States.

"We, the people of the State of Georgia in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the Ordinances adopted by the people of the State of Georgia in Convention in 1788, whereby the Constitution of the United States was assented to, ratified and adopted, and also all acts and parts of acts of the General Assembly ratifying and adopting amendments to the said Constitution, are hereby repealed, rescinded and abrogated.

"And we do further declare and ordain that the union now subsisting between the State of Georgia and other States, under the name of the United States, is hereby dissolved, and that the State of Georgia is in full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State."

A motion to postpone the operation of the Ordinance to the 3d of March was lost by about thirty majority. A resolution was further adopted continuing in force the Federal laws of revenue, and the postal system—Georgia, like South Carolina, being quite willing to "suffer" the General Government's "tyranny" as far as to allow it to lose money in carrying its revolutionary mails. Previous to the passage of the Secession Ordinance, a resolution was introduced by a Mr. Martin, a "co-operationist," calling on the Governor for information concerning the nature and circumstances of the popular vote for delegates. It was represented by Mr. Martin that the vote was accompanied by extraordinary and unusual impediments to a popular and unrestricted expression of opinion—that numbers of Unionists and Co-operationists were both infamously and illegally treated. The resolution, of course, raised a storm. It was scarcely to be expected that men elected by violence and "stuffed" boxes, would submit to an exposition of their own infamy, or would acknowledge the arbitrary course being pursued to place the State at the entire disposition of Mr. Toombs and his violent coadjutors.

A substitute for the Ordinance, in a series of resolutions drawn up by Herschel V. Johnson, was offered by Benjamin Hill, Esq., a leading and influential "Conservative." The purport of the resolutions was: "Declaring the State of Georgia in danger—first, from the aggressions of the North, and secondly,

from the withdrawal of other States, whereby the Republicans have a majority in Congress, it is proposed to hold a Congress of Slave States at Atlanta, near the middle of February; at this Congress, certain amendments to the Constitution of the United States would be insisted on; these were, chiefly, to prevent the abolition of Slavery in the Territories, to provide for the sure return of, or payment for fugitive slaves, to punish those who seek to entice away slaves, to protect the internal Slave trade, to protect Slave owners from loss if they carry their slaves into a Free State, to take from all negroes the right of suffrage. This Congress would not ask the Northern States to repeal their Personal Liberty bills—they would only swear not to stay in the Union unless they were repealed; it was also proposed to adjourn the Convention till after this Congress had held its session." A correspondent present wrote of the proceedings, at this point:

"After a strong, even violent, discussion, this substitute was rejected by a majority of 31, four less than that which passed the test vote of Friday. Then an attempt was made to have a motion put providing that the Ordinance should be submitted to the people for ratification, but the previous question was sprung, and the final vote on the Secession Ordinance was taken, after some sharp debate; during the calling of the yeas and nays, several members changed their votes, so as to be on the side of the majority, thus bringing the Convention somewhat nearer unanimity. Judge Linton Stephens, of Hancock, very warmly declared that he saw no sufficient cause for a withdrawal from the Union, and that he would neither vote for nor sign the Ordinance. This declaration provoked much warm comment and many savage wishes from the outsiders when it became known."

Monday, Mr. Toombs introduced the following resolution, in response to the Resolutions passed by the New-York Legislature, January 11th—a copy of which had been transmitted to the Governors of all the States* :—

* The New York Legislature resolutions were as follows :

"Whereas, The insurgent State of South Carolina, after seizing the Post-office, Custom-house, moneys, and fortifications of the Federal Government, has, by firing into a vessel ordered by the Government to convey troops and provisions to Fort Sum-

Resolved, unanimously, As a response to the Resolutions of the Legislature of the State of New-York, that this Convention highly approves of the energetic and patriotic conduct of the Governor of Georgia, in taking possession of Fort Pulaski, by the Georgia troops; that this Convention request him to hold possession of said fort until the relations of Georgia with the Federal Government shall be determined, and that a copy of this resolution be transmitted to the Governor of the State of New-York."

The Ordinance of Secession was signed, Monday, by most of the members, including A. H. Stephens, Judge Linton Stephens, Benj. Hill, and ex-Governor Johnson. These gentlemen had prepared, and introduced, Monday afternoon, the following, which was adopted, almost unanimously :—

"Whereas, The lack of unanimity in the action of this Convention, on the passage of the Ordinance of Secession, indicates a difference of opinion existing among the members of this Convention, which is owing not so much to the rights which Georgia

ter, virtually declared war; and *Whereas*, the forts, and property of the United States Government in Georgia, Alabama, and Louisiana, have been unlawfully seized with hostile intentions; and *Whereas*, further, Senators in Congress avow and maintain their treasonable acts, Therefore

"*Resolved*, If the Senate concur, that the Legislature of New-York profoundly impressed with the value of the Union, and determined to preserve it unimpaired, hail with joy the recent firm, dignified and patriotic special message of the President of the United States, and that we tender to him through the Chief Magistrate of our State whatever aid in men and money he may require to enable him to enforce the laws and uphold the authority of the Federal Government, and that in defense of "the more perfect Union" which has conferred prosperity and happiness upon the American people, renewing the pledge given and redeemed by our fathers, we are ready to devote "our fortunes our lives and our sacred honor" in upholding the Union and the Constitution.

Resolved, That the Union-loving Representatives and citizens of Delaware, Maryland, Virginia, North Carolina, Kentucky, Missouri, and Tennessee, who labor with devoted courage and patriotism to withhold their States from the vortex of Secession, are entitled to the gratitude and admiration of the whole people.

Resolved, That the Governor be respectfully requested to forward forthwith copies of the foregoing resolutions to the President of the nation and the Governors of all the States of the Union."

claims or the wrongs of which she complains, as it is to the remedy and its application before resorting to other means of redress, and

"Whereas, It is desirable to give expression to the intention which really exists among all the members of this Convention to sustain the State in the course of action which she has pronounced to be proper for the occasion; therefore

"Resolved, That all the members of this Convention, including those who voted against the Ordinance as well as those who voted for it, will sign the same as a pledge of the unanimous determination of this Convention to sustain and defend the State in her course and remedy."

Six delegates entered their protest against the Ordinance of Secession, but pledged their lives, their fortunes, and their honor in the defense of Georgia against coercion and invasion.

Tuesday, an Ordinance was adopted, providing for the execution of sentences passed by the Federal Courts; for the execution of processes issued by the same Courts; and to preserve the indictments.

In view of the early formation of a Central Government, by the Seceded States, the State Conventions legislated as little as possible, preferring to make as few changes as circumstances would admit.

Mr. Toombs was called upon to prepare a report, setting forth the reasons why the Ordinance of Secession was adopted by the State Convention. A Committee, to whom the matter had been referred, deferred to Mr. Toombs the task of preparing the document. It was not reported until January 29th. The "Address" was long, historically weak, and exceedingly discursive, for a State document of its nature. It read very much like its author's last speech in the United States Senate, not quite as burdened with invective, but, like it, peculiarly marked with the perversions of a heated Southern imagination. Its tenor and spirit were embodied in its closing paragraph:

"Such are the opinions, and such are the practices of the Republican party, who have been called, by their own votes, to administer the Federal Government under the Constitution of the United States. We know their treachery—we know the shallow pretences under which they daily disregard its plainest obligations. If we submit to them, it will be our fault and not theirs. The people of Georgia have ever been willing to stand by this bar-

gain—this contract—they have never sought to evade any of its obligations—they have never hitherto sought to establish any new Government. They have struggled to maintain the ancient rights of themselves and the human race through and under the Constitution. But they know the value of parchment rights in treacherous hands, and therefore they refuse to commit their own to the rulers whom the North offer us. Why? Because by their declared principle and policy they have outlawed three thousand millions of our property in the common Territories of the Union—put it under the ban of the Republic in the States where it exists, and out of the protection of judicial law everywhere—because they give sanctuary to thieves and incendiaries who assail it, to the whole extent of their power, in spite of their most solemn obligations and covenants. Because their avowed purpose is to subvert our society, and subject us not only to the loss of our property, but the destruction of ourselves, our wives, and our children, and the desolation of our altars and firesides. To avoid these evils we resume the powers which our fathers delegated to the Government of the United States, and henceforth will seek new safeguards for our liberty, security, and tranquillity."

Delegates were elected, January 24th, to the Convention of States to be held at Montgomery, February 4th. Toombs, Howell Cobb, Crawford, A. H. Stephens, and Benjamin Hill, were among those chosen.

The forts in Savannah harbor were seized as early as January 4th, as we have already noted. [See page 175.] The Arsenal at Augusta was surrounded, on the morning of January 24th, by several hundred State troops, and a surrender demanded by Gov. Brown in person. The surrender was made; resistance would have only sacrificed the mere guard in keeping of the property. Georgia thus became possessed of a large store of valuable arms and munitions, placed there by the sagacious Ex-Secretary for the purpose of being turned, at the proper moment, against the Government.

The Louisiana State Convention met at Baton Rouge, Wednesday, January 23d. Ex Governor Mouton was elected permanent President, as an avowed immediate Secessionist, by a vote of 81 to 41. A committee of fifteen was nominated by the chair to report an Ordinance of Secession. By this nomination the powerful opposition

Louisiana.

was instantly excluded from the committee. The Ordinance was reported January 24th, and discussion on it postponed to the succeeding day. A resolution, to thank the Governor for seizing the forts at the mouths of the Mississippi, and the arsenal at Baton Rouge, was offered. A warm discussion followed, when a message was received from the Governor, giving particulars of the acts of seizure. The resolution was finally adopted—118 to 5. The discussion on the Ordinance was continued through Friday. Saturday, the proposition to submit the Ordinance to a vote of the people, was *rejected* by a vote of—yeas, 45; nays, 84. The Ordinance itself was then put upon its direct passage, and was adopted, by the vote of 113 to 17. It read :—

"An Ordinance to dissolve the Union between the State of Louisiana and the other States united with her, under the compact entitled the Constitution of the United States of America.

"We, the people of the State of Louisiana, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the Ordinance passed by this State on the 22d of November, 1807, whereby the Constitution of the United States of America and the amendments of said Constitution were adopted, and all the laws and ordinances by which Louisiana became a member of the Federal Union, be, and the same are, hereby repealed and abrogated, and the union now subsisting between Louisiana and the other States, under the name of the United States of America, is hereby dissolved.

"We further declare and ordain, that the State of Louisiana hereby resumes the rights and powers heretofore delegated to the Government of the United States of America, and its citizens absolved from allegiance to the said Government; and she is in full possession of all the rights and sovereignty that appertains to a free and independent State.

"We further declare and ordain, that all rights acquired and vested under the Constitution of the United States, or any act of Congress, or treaty, or under law of this State not incompatible with this Ordinance, shall remain in force and have the same effect as though this Ordinance had not passed."

The following resolution was annexed:

"We, the people of Louisiana, recognize the right of free navigation of the Mississippi River and tributaries by all friendly States bordering thereon. We also recognize the right of the ingress and egress of the mouths of the Mississippi by all friendly States and powers; and hereby declare our willingness to

enter into stipulations to guarantee the exercise of those rights."

After the adoption was announced, Gov. Moore and his staff, in military dress, entered the hall, and formally presented the President of the Convention with the Pelican flag. One hundred guns were fired from the State-house grounds. The Commissioners of Alabama and South Carolina were present, and, on Friday, made "powerful addresses," urging immediate secession, and the sending of delegates to the Montgomery Convention. Their influence contributed much toward suppressing the co-operationist or delay sentiment in the Convention. Saturday, the Convention adjourned, to meet at New Orleans on Tuesday. Wednesday, Jan. 30th, delegates were elected to the Montgomery Congress. Slidell and Benjamin, the telegraph reported, were defeated for delegates. It should here be said, however, that they preferred not to be deputized. It was understood that both of these gentlemen entertained a scheme for a Confederacy, to embrace the original "Louisiana purchase" and Texas—of which, they, of course, were to become chiefs; but, the influence of the Commissioners from other States, and the desire of the delegates to throw the responsibilities of reorganization upon a Congress of States, prevailed to induce the representation of Louisiana in that Congress. Benjamin and Slidell, thus presented the spectacle so frequently recorded in history, of having built a house only to be turned out of it.

On the 29th, the United States revenue cutter *McClelland*, one of the best vessels in the Customs' service, was handed over to the Louisiana authorities by her commander, Breshwood, a Virginian. Secretary Dix had sent a special agent to New Orleans to relieve Captain Breshwood of the command. At the appearance of this agent, Captain Breshwood refused to obey orders, and transferred his vessel as stated. The revenue cutter *Cass*, at Mobile, commanded by Captain J. J. Morrison, a Georgian, was, on the same day, transferred to the State authorities of Alabama, to save it from the special orders of the determined Dix. Although these vessels were under charge of the Treasury Department, the War Department had the officering of them. Mr. Floyd had chosen the

proper men for the act of treason at the proper time.

These transactions were but preliminary to the seizure of the United States Custom-house, Mint, and Sub-treasury, in New Orleans. These buildings and contents were taken possession of February 1st, by order of the Governor, acting by advice of the Convention. The Mint and Sub-treasury contained \$511,000 in specie, subject to call of the Federal Government. General Dix had, on January 25th, given Adams's Express an order for \$350,000 of \$389,000 then at the Mint. The Express, on applying for the coin, was put off with evasive answers by the officer in charge, and, on the 1st, was informed that the State had seized the money. Howell Cobb here proved that he, too, was a "benefactor to Southern independence"—having, like his friend Floyd, so far studied contingencies, that the right men were placed in the right place to "do the nice thing" at the right time.

The forts seized, January 11th-12th, comprised the fine structures at the main mouth of the Mississippi—St. Philips and Jackson; the fort at the Lake Ponchartrain entrance—Pike; and Fort Macomb, at Chef Menteur. The works at Ship Island, upon which Government had spent a large sum of money, were also cleared of Federal workmen. It was to this incomplete structure that Mr. Floyd ordered the forty-six heavy guns from the Alleghany Arsenal. [See page 115.] Louisiana, by these several "appropriations," became possessed of property which cost the General Government over seven millions dollars. When we add to this the original purchase money of millions paid Napoleon I. for the Territory, and also add the seven millions paid annually, for many years, by the country, as a duty on sugar almost expressly to "protect" Louisiana sugar planters, and give them a monopoly in the market—we may safely conclude that whatever grievances Louisiana may have suffered in the Union, they did not prevent her from fattening out of the National Treasury.

The Texas State Convention of Delegates

met at Austin, Jan. 28th.

The Ordinance of Secession

Texas.

was passed February 1st, by a vote of 166 to 7. The document read as follows:

"An Ordinance to Dissolve the Union between the State of Texas and the other States under the Compact styled the Constitution of the United States of America."

"SEC. 1. Whereas, the Federal Government has failed to accomplish the purposes of the compact of Union between these States, in giving protection either to the persons of our people upon an exposed frontier, or to the property of our citizens; and whereas, the action of the Northern States is violative of the compact between the States and the guarantees of the Constitution; and, whereas, the recent developments in federal affairs make it evident that the power of the Federal Government is sought to be made a weapon with which to strike down the interests and property of the people of Texas and her sister Slaveholding States, instead of permitting it to be, as was intended—our shield against outrage and aggression—therefore, we, the people of the State of Texas by delegates in the Convention assembled, do declare and ordain that the Ordinance adopted by our Convention of delegates on the fourth (4th) day of July, A.D. 1845, and afterwards ratified by us, under which the Republic of Texas was admitted into the Union with other States, and became a party to the compact styled 'The Constitution of the United States of America' be, and is hereby repealed and annulled.

"That all the powers which, by the said compact, were delegated by Texas to the General Government are resumed. That Texas is of right absolved from all restraints and obligations incurred by said compact, and is a separate Sovereign State, and that her citizens and people are absolved from all allegiance to the United States or the Government thereof.

"SEC. 2. The Ordinance shall be submitted to the people of Texas for their ratification or rejection, by the qualified voters, on the 23d day of February, 1861; and unless rejected by a majority of the votes cast, shall take effect and be in force on and after the 2d day of March, A.D. 1861. Provided, that in the representative district of El Paso, said election may be held on the 18th day of February, 1861.

"Done by the people of the State of Texas, in Convention assembled, at Austin, the 1st day of February, A.D. 1861."

CHAPTER X.

A CHAPTER OF INCIDENTALS. PEN PHOTOGRAPHS OF THE CHIEF CONSPIRATORS. THE ACTIVE MEANS EMPLOYED TO SUPPRESS UNION SENTIMENT IN THE SOUTH. A FEW FIGURES FOR CONTEMPLATION.

It is certain so great a conspiracy as that conceived, for years, by the discontented spirits of the South, never could have been carried out with any degree of success, had it not enlisted, as directors, men of consummate talents for the peculiar work. Great emergencies produce great men, history informs us; the adage is verified in the story of the second American Revolution, whose gigantic dimensions created, or evoked, leaders possessed of all the qualifications necessary to direct it.

The revolution in each State found a master-spirit, who controlled its wild elements completely, and, by the supremacy of its imperious will, gave it all the features necessary to immediate success, or requisite for ultimate aims. We will photograph a few of those chiefs who brought on the crisis, and who piloted the States to the destined goal of a Southern Confederacy.

In Georgia, the directing
Toombs. Will of her destiny was

United States Senator Robert Toombs—a man combining, in equal degrees, pride, self-confidence, ambition, and impatience of control. Able as a debater, shrewd in intrigue, tireless in the pursuit of an object, he, at an early day, became the recognized leader of those who plotted for a dissolution of the Union and the formation of a new Union, to be composed only of Slave States. Howell Cobb, Crawford, Iverson,—all had to give way before his imperious sway. When the uprising came, it was his wand which commanded it. Legislature, Convention, and People, obeyed it with military alacrity and precision. Georgia was his own, to order and control as he would. She had no wish or will that was not embodied in one word—Toombs. Ominous word!

In Mississippi, Jefferson Davis, United States Senator, was, at once, the Janus and the Jupiter Tonans of the revolution. Less insolent than Toombs, he was scarcely less devoted to the idea of Southern independence. Sagacious, calm, watchful and worldly-wise, holding the sentiment of his State as in the hollow of his hand, he drew the people and their representatives into his schemes as silently, yet resistlessly, as the deep-sea current which drives the waters of the ocean against wind and tide until they are subdued to its control. In habits unostentatious, in demeanor courteous, in conversation impressive, with industry, tact and courage equal to any circumstances, he was qualified for the supreme authority with which he became invested—a supremacy which he doubtless determined upon when the idea of a purely Slave Confederacy was conceived.

Davis.

In Louisiana, United States Senator, John Slidell, was the directing spirit. Mr. Benjamin, though more generally recognized as the representative of the sentiment of his State in the Senate, was too honest, candid and disinterested to lead the van of revolution. Slidell was the man. As sly and subtle as the snake in his own cane brakes, he wormed himself into the counsels of Mr. Buchanan to such a degree as to win the sobriquet of "wet-nurse to the Administration." Then he plotted and intrigued with the genius of Lucifer. When stroking the vestments of the Executive he was only feeling for the spot where to strike when the moment came to throw off his friendly mask. When Louisiana hesitated, he had but to

Slidell.

point his finger to command her obedience. He would have taken the State "out of the Union" if his constituents all had opposed. He entered into the conspiracy like a Carthaginian, to conquer, not to be conquered.

In Florida, United States

Yulee.

Senator, David L. Yulee,
assumed the proud distinc-

tion of a second Cromwell. Not that he at all resembled the Puritan. His scorn was to be thought to have the most distant kinship to anything which sounded like Plymouth Rock; but, like Cromwell, he preferred fight to philosophy, and, from his high place in the National Senate, marshalled the confident host of Florida (the entire State polls less than fifteen thousand votes), against the Government. With little of the prudence, but with all the vanity requisite for hazardous enterprize, he assumed to walk in the footsteps of his illustrious superior, Toombs, —like old Hickory's body servant, to do his "dragooning."

South Carolina was mov-

Omnes.

ed by the spirit of her dead
Calhoun. She had leaders

—indeed she had many leaders, so prolific is the little State in men actuated to take "leading positions." But, they all consulted the shade of the Great Departed, like midnight devotees of Memnon, and sought to make unto themselves no graven image that did not bear the impress of his erect hair and lion's mein. South Carolina's misfortune was in having so many leaders: Rhett, jun. and sen., Orr, Memminger, Adams, Pickens, Jamison, Keitt, Hammond, Chestnut, Boyce, Barnwell, Withers, Bonham, McQueen, Ashmore, Hayne, Preston, Dunkin, Calhoun, Butler, Miles, Magrath, Gist and the Charleston *Mercury*. For a State numbering fifty thousand voters it may be said that South Carolina was pretty well provided with "men for the crisis." No wonder she rebelled!

Alabama was led by Wm.

Yancey.

L. Yancey, ex-Member of
Congress, who was in heart

and soul a disunionist. Disappointed politically, irrational as an economist, reckless in courage, immaculate in egotism, and as impatient of control as an Indian, he possessed that power over multitudes, and that

disdain of results, which rendered him the very model of a revolutionist. He gained the right of leadership by priority of discovery, "always having prophesied a Southern Confederacy." John Forsythe, Mr. Clay, Mr. Curry, all confessed to his ascendancy, and submitted to his unnegatived dictum.

Arkansas, in Albert Rust,

Rust.

one of her two Representatives in the Lower House of Congress, found her ablest director. The Senators of that State possessed comparatively little *popular* influence; but Mr. Rust, "smelling of Arkansas soil and breathing the untamed spirit of her wilds," controlled the popular heart to an unlimited degree. Able in Congress, fearless in spirit, true to his Southern convictions and associations, he was admirably fitted to lead the whirlwind and direct the storm of rebellion in his young State. The State was loyal to the Union until he declared for secession—*then*, Arkansas was ready for the "precipitous" act.

In Texas, Wigfall, United

States Senator, was the spirit
of discord, *par excellence*.

Wigfall.

With all the bravado of Toombs, but without his common sense—with none of the shrewdness of Slidell, and all of the vanity of Yulee and Yancey combined—with a real genius for a "row," Wigfall entered into the game of revolution with as much zest as a pearl-hunter, who, having discovered a new *placer*, is eager to try the perils of the deep soundings. Though erratic, visionary, fickle and intractable, he embodied so many of the requisites of a good conspirator, in his dashing, reckless, brilliant ways, that the greater conspirators made him a very useful and trenchant instrument in "precipitating" Texas out of the keeping of Old San Jacinto Houston—who sat like Erebus at her gates—into the arms of the black mistress of the Slave Republic.

These are the political priests whose incantations shaped the shadow of Disunion into life—whose ministrations at the dark altar confirmed a revolution, which, but for them, never had been.

We have adverted, in the previous chapter, to the arbitrary manner in which the State Conventions conducted their proceedings.

Secret Agents.

The spirits of just men made perfect—of the Fathers of our Independence, evidently did not preside over those assemblages. The more palpable spirits of those named above were there, to drive out the people and drive in the reign of terror, which they, as leaders, would direct while the people should *obey*. But, this tyranny, as we have had occasion to remark, began with the incipient steps of the revolution. The organizations of secret societies commenced early in November. In them the plotters of the movement were sure to secure reliable and most powerful assistants. Hence, as stated on previous pages, (135 *et sequitur*), the organization of "Vigilance Associations," "Minute Men," "Brotherhoods," &c. The following circular will show to what an extent these organizations contributed to bring the Southern mind up to the seceding point:—

"EXECUTIVE CHAMBER, 'THE 1860 ASSOCIATION,'

"CHARLESTON, NOV. 19, 1860.

"In September last, several gentlemen of Charleston met to confer in reference to the position of the South in the event of the accession of Mr. Lincoln and the Republican party to power. This informal meeting was the origin of the organization known in this community as 'The 1860 Association.'

"The objects of the Association are:—

"*First*: To conduct a correspondence with leading men in the South, and by an interchange of information and views, prepare the Slave States to meet the impending crisis.

"*Second*: To prepare, print, and distribute in the Slave States tracts, pamphlets, &c., designed to awaken them to a conviction of their danger, and to urge the necessity of resisting Northern and Federal aggression.

"*Third*: To inquire into the defences of the State and to collect and arrange information which may aid the Legislature to establish promptly an effective military organization.

"To effect these objects, a brief and simple Constitution was adopted, creating a President, a Secretary and Treasurer, and an Executive Committee, specially charged with conducting the business of the Association. One hundred and sixty-six thousand pamphlets have been published, and demands for further supplies are received from every quarter. The Association is now passing several of them through a second and third edition.

"The Conventions in several of the Southern States will soon be elected. The North is preparing to soothe and conciliate the South, by disclaimers and

overtures. The success of this policy would be disastrous to the cause of Southern Union and Independence, and it is necessary to resist and defeat it. The Association is preparing pamphlets with this special object. Funds are necessary to enable it to act promptly. 'The 1860 Association' is laboring for the South, and asks your aid.

"I am, very respectfully, your obedient servant,

"ROBERT N. GOURDIN,

"Chairman of the Executive Committee."

The man who refused his contributions, to aid in this and other semi-secret organizations, was at once placed under ban, from which he was glad, eventually, to escape by liberal contributions and a zealous interest in "the cause."

When the day approached for the election of Delegates to the State Conventions, these organizations were made to embrace the most turbulent and implacable men of every neighborhood, to incur whose enmity was simply to incur outrage. To vote for, or to speak for, the Union, was to risk both life and property; and though, in many localities, a strong sentiment prevailed against disunion and revolution, it was suppressed by fears of a persecution, which few indeed could dare. This extensive suppression of sentiment, by violent and organized bodies of men, had too many evidences of existence to be put aside in any *rationale* of the conspiracy and its consummation.

Single incidents will, sometimes, throw a flood of light upon a wide field of inquiry. The case narrated on page 134 thus becomes a specific witness which ten thousand general denials cannot set aside in evidence. We have another authenticated narrative in a letter from Savannah, Georgia, dated January 7th, which can be regarded as "representative" in its illustration of the *means* by which the elections were controlled. A gentleman, residing in Georgia but a brief period, expressed surprise to a planter that the men of property there should submit to the headlong course of the Secessionists. "You must bear in mind," the gentleman wrote, in detailing the interview, "that this planter was a Slaveholder, Southern by birth, by education, and in feeling, hating the Republican party with a terrible bitterness, calling them all Abolitionists, and Mr. Ham-

A Planter's Confession.

lin 'a free negro;' he was a man of considerable importance in his own neighborhood, and, as I learned from the salutation of an acquaintance, a magistrate also. From his conversation in the cars I had discovered, however, that he was not a rabid Secessionist, if in favor of secession at all." This encouraged the correspondent to seek, if possible, some solution of his doubts. The result was thus detailed:

"As we waited, one of the noisy Disunionists to be seen everywhere, was haranguing a lot of people, roaring for war, and cursing the Administration heartily; when we had reached the other end of the platform and were alone, my companion said, quietly enough, but with a sort of weary irony: 'That is a fair specimen of the teachers of the Southern people—no other teachers are now allowed. We have a good deal changed lately; I would not have believed, ten years ago, that the time would ever come when I couldn't stand up in Georgia and say what I thought best to say, at least free from personal peril, and that such a man as that yonder would ever represent the class which entirely controls the shifting people. I have certain decided opinions upon the policy of immediate secession, or of secession at any time. I have the right to hold such opinions; it is my duty to hold *some* decided views, situated as I am in my county. But I cannot come out openly, loudly, boldly, in defence of my opinions, with the desire to spread them. I should be injured in my property—perhaps, probably, indeed, in my own person; yes, I am ashamed to say, I believe I should be mobbed, that my buildings would be burned, and that I should be forced to leave the State. For when a man once falls under the ban of the mob, though they only threaten him to-day they will doubtless return to-morrow and burn his property, and the next day they will bring a rope with them, looking out along the way for a convenient tree with a strong limb.' I said to him: 'Can it be that you do not exaggerate the danger of making your opinions known?' He replied: 'I do not exaggerate. I know what I am talking about. I am even now, at home, regarded with suspicion, because my views are well known, and some of my oldest acquaint-

ances are shy of me. This is not so much because they fear the present consequences of acknowledging they know me, but they say it may prejudice them by and by.' 'How is that?' 'Why I can't tell you better than to repeat what one of the fastest Secessionists said the other day about Stephens. 'Never mind,' said he, 'when the State goes out, and we are on our own hook, these fellows have got to walk straight and keep quiet, or they'll walk into trouble.'"

"I spoke then of the approaching election of delegates, asking if the freedom of the ballot was not allowed. He replied that he believed men were permitted to vote for whom they chose to vote, but the trouble was to have such candidates put up as they wanted to vote for. 'See here,' said he, 'let us suppose we have a meeting to nominate candidates. There are to be resolutions adopted, and the meeting must express its views on the question of secession. But if there happen to be twenty or thirty such fellows as that one out there present, they will control the meeting, hinder the anti-Secessionists from saying anything, and will rush through their resolutions and carry their nominations just because no one could oppose them with safety. It is all very well to talk about boldness—but a mob is a mob, and no honor comes from maltreatment at their hands. So, don't you see we might about as well be forbidden to vote for whom we please as to be forbidden to nominate, or advocate the nomination of whom we please? I have the right to vote for A, B, or C, on the 2d of January, if I choose; but neither of them is a candidate, and I am not allowed, a week before the 2d; to make a speech in favor of either of them.'"

The reader, in this case, has the story, not of an individual but of a whole people—of seven States. The elective franchise became the merest mockery; freedom of opinion dared not be exercised, except in a few favored localities, where the Union men were too determined to be put down. The iron rule of the new order of things weighed down press, pulpit, telegraph, people, like a visitation of darkness, while, out of the terror inspired by the self-constituted guardians of "Southern institutions" sprang the dragon

of revolution, full fledged for its work of abasing constitutional liberty.

The People Out-
lawed.

Another point in the secession programme here deserves consideration. The fact that the Secession Ordinances never were submitted to the people of their respective States, for adoption, modification or rejection, has been frequently referred to in evidence of the tyranny exercised, by the Conventions and leaders, over the people. Why were those instruments of disorganization, so potent of evil and of change, not subjected to the calm scrutiny and judgment of the people? We have, in the speech of Mr. Yancey, before the Alabama Convention, January 24th, the argument of justification for a refusal to let the legal voters of the State pass judgment on the proceedings of the Convention. We shall transfer to these pages a portion of the speaker's remarks as *prima facie* evidence of the predetermined usurpation of a ruler's prerogatives by the leaders of the secession movement—of the purpose to carry the States out of the Union, whether or not the people consented. He said:—

* * * "The people have had this question of Secession before them for a long time, and have maturely considered it in two late elections—namely, those for electors of President, and for delegates to this body. The issue was as distinctly made in one as in the other, and in both they decided the issue in favor of Secession.

"They have intrusted their delegates with unlimited power—power to 'consider, determine, and do whatever, in the opinion of this Convention, the rights, interests, and honor of the State of Alabama requires to be done for their protection.' The law that authorized the election contained that enumeration of ample authority, and the people indorsed it. We have been selected for our supposed wisdom, experience in public affairs, integrity, and courage, to take all proper responsibility in the premises.

* * * "But, it is said, *why not call another Convention to ratify the Permanent Government to be adopted?* I answer, *because it is unnecessary.* A permanent Government for a Southern Confederacy was looked for by the friends of secession—was spoken of and entered into all the discussions in the late canvass. It was a part of the plan of secession, and when the people decided for secession, they decided for a Southern Confederacy. Therefore in that point we already know the views of the people, and no new

expression of opinion is needed. Neither is such expression needed as to the character of the Permanent Government. The character of the people have indicated and it is expressed in the report—it must be a Government as nearly similar as possible to the Federal Constitution. *We need no discussion before the people,* nor other expression of their views on that point. Beside these views, in themselves conclusive to any mind, no statesman would willingly throw such grave issues before the people after once receiving their decision, until the irritations and prejudices and passion of the previous contest had cooled." * * *

"There is another reason why I oppose the election of another Convention. Such a proposition has a tendency to reopen the question of Secession, by bringing up the issue of a re-construction of the Federal Government. It allows such an issue to be made—it invites it, in fact. And under what circumstances? From the signs of the times, it would seem as if coercive measures were to be adopted. If so, about the time of such an election the people will be bearing the burdens of such a contest. Commercial and agricultural interests will be suffering. Debts will be hard to pay. Provisions will be scarce. Perhaps death at the hands of the enemy will have come to the doors of many families. Men's minds, thus surrounded and affected by strong personal and selfish considerations, will not be in that calm and well-balanced condition which is favorable to a correct and patriotic judgment of the question. The very state of things will perhaps exist which our Black Republican enemies predict will exist, and which they sneeringly rely upon to force our people to ask for readmission into the Union. Shall we, the selected friends and deputies of the people, aid these wily and malignant enemies of our State by laying this whole question, as it culminates in its progress, on the very eve of final triumph, back to the consideration of a people thus surrounded and influenced by most unpropitious circumstances? To do so might well accord with the purposes of a friend of a reconstruction of the Federal Government, but in my opinion it is a policy which every true friend of the people should condemn. I avow myself as utterly, unalterably opposed to any and all plans of reconstructing a Union with the Black Republican States of the North. No new guarantees—no amendments of the Constitution—no peaceful resolutions—no repeal of offensive laws can offer to me any, the least, inducement to reconstruct our relations with the Non-Slaveholding States."

In this the reader will find all the excuse the revolutionists have to offer for their usurpations. The only fact bearing out the claim for justification, is that stated in the first par-

agraph, viz: That the delegates should "have power to consider, determine, and do whatever, in the opinion of this Convention," &c., &c. When we look at all the circumstances attendant upon the passage of the Convention bills by the *State Legislatures*, under pressure of the leaders of the pre-determined revolution—that the nomination of delegates was made under the same pressure—that, to vote for a Unionist, or a Re-constructionist, was to be subjected to violence—we may safely declare that no baser tyranny ever was practised upon a people under the *forms* of law, and constitutional procedure.

Federal Rights of Pur-
chase and Property.

It is not possible to view the question of the right of secession in its practical aspects without adverting to the claims which the Federal Government has upon a seceded State, by the unquestioned right of *original purchase*; by the right of *immense advances* made for improvements for internal and external protection; by the *expenses incurred* in sustaining, in the State, mails, courts, Custom-houses, &c., against heavy annual deficits of receipts;—claims which, if against any government or individual, would be adjudged good in law and in equity before any tribunal in the world, excepting, of course, any in the Southern States.

Mr. Everett thus states the facts of the original cost to the Federal treasury of the several Gulf States:—

"Look at the case, for a moment, in reference to the cost of the acquisitions of territory, made on this side of the continent, within the present century—Florida, Louisiana, Texas, and the entire coast of Alabama and Mississippi—vast regions acquired from France, Spain, and Mexico, within sixty years. Louisiana cost \$15,000,000, when our population was five millions, representing, of course, a burden of \$90,000,000 at the present day. Florida cost \$5,000,000, in 1820, when our population was less than ten millions, equal to \$15,000,000 at the present day, besides the expenses of General Jackson's war in 1818, and the Florida war of 1840, in which some \$80,000,000 were thrown away, for the purpose of driving a handful of starving Seminoles from the Everglades. Texas cost \$200,000,000 expended in the Mexican war, in addition to the lives of thousands of brave men; besides \$10,000,000 paid to her in 1850, for ceding a tract of land, which was not hers, to New Mexico. A great part of the expense of the mili-

tary establishment of the United States has been incurred in defending the *Southwestern* frontier. The troops, meanly surprised and betrayed in Texas, were sent there to protect her defenceless border settlements from the tomahawk and scalping knife. If, to all this expenditure, we add that of the forts, the navy yards, the court-houses, the custom-houses, and the other public buildings in these regions, \$500,000,000 of the public funds—of which, at least, five-sixths have been levied by indirect taxation from the North and Northwest—have been expended in and for the Gulf States in this century."

Well might the eminent essayist demand—"Would England, would France, would any government on the face of the earth, surrender, without a death-struggle, such a dear-bought territory?" But, the case is strengthened, in special instances, where special obligations have been incurred. Louisiana, for example, has, for many years, been "protected" in her sugar culture to the extent of about *seven millions of dollars annually*, which the country has had to pay in duties levied expressly at her behest and for her benefit alone—the duty exacted serving to enrich the State and to enhance the value of its negroes and plantations. Over sixty millions of dollars have thus been specially *contributed* by the common country to sustain Louisiana property and interests. It need not be urged that other sections of the Union have been protected, in a similar manner, by duties, to enhance the value of their products. Other States so protected were loyal to all their obligations to the Union, and requited them by adding immensely to the prosperity and resources of the common government. We have yet to ascertain that an enhancement of the price of negroes and of Louisiana sugar estates has enured to the benefit of the common country, in any respect. Louisiana alone has received the direct and exclusive benefit of the tax, and, in the account current which stands charged against her, the sixty millions will be entered by posterity as a portion of her debt to the Union. The Union! What does not Louisiana owe to it? What has she ever received from it but benefits? What harm or wrong did the Union ever do to her? None—none! not even to the stealing of a negro by "Northern Abolitionists." The unkindness, the baseness, the insolence of an ingrate must ever attach to her escutcheon

for the part her leaders forced her to play in the Secession Revolution.

The cost of coast surveys, buoys, light-houses, and harbor improvements on the coast, from Hatteras to Galveston, has been enormous, with excessively small returns to the General Government. Every dollar's customs collected in all the ports of the South, except of New Orleans, has cost the Federal Government six. Money has been appropriated, from year to year, since 1832, on Southern rivers and harbors, custom-houses, post-offices, &c., with a lavishness which, when viewed in a merely economical light, must be regarded as incredible, considering the meagre returns which were inevitable. New Orleans being the natural *entrepot* for all the vast country watered by the Missouri and Mississippi rivers, did a large trade, and her customs' revenues were correspondingly profitable to the Government; but, these revenues were paid largely by the Free States, which were heavy consumers of imported goods. The Mississippi river is the great highway for ten States, and New Orleans has been enriched by acting as the agent for their commerce.

In the matter of mails alone the seceded States owe the General Government an enormous sum. The table heretofore given,* will show how great that single debt must be. The cost of carrying and delivering the mails, in the seven States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana and Texas, has been nearly *two millions* of dollars *annually*, greater than the entire postal receipts!

The deficit of these States to the Federal Government, in customs, in mails, in returns for monies appropriated and direct benefits bestowed, existed from the very first stages of the old Confederacy. From 1782 to '87, when Congress had no power of taxation, it could only indicate what sums were required to sustain the Government, and signify to each State what was the proportion due from it. How the obligation was discharged will be apparent from the following table, given by Judge Story, in his "Commentaries:"

"PROPORTION CONTRIBUTED BY STATES, IN SUPPORT OF THE OLD CONFEDERATION OF 1781.

State which paid more than its quota—NEW YORK.

State which paid nearly the whole—PENNSYLVANIA.

State which paid three-fifths—VIRGINIA.

States which paid one-half—MASSACHUSETTS, RHODE ISLAND, MARYLAND.

States which paid about one-third—CONNECTICUT, DELAWARE.

States which paid NOTHING—GEORGIA, SOUTH CAROLINA, NORTH CAROLINA, NEW HAMPSHIRE."

New Hampshire paid nothing, being very sparsely settled, very poor in soil, and very illy able to bear any public burden. North and South Carolina, on the other hand, were rich in population and possessions, and were vastly more able to contribute to the Government than any of the New England States—yet they paid *nothing*.

The cost of the Revolutionary War was borne, in a preponderating proportion, by the New England and Middle States. At that time Virginia was the most populous, and, by far, the richest of the States; yet, even she, with all her ascendancy in the Army, in Congress, and in general influence, did *far less*, in proportion to her ability, than any of the Northern States. She was the "Mother of Presidents;" her views prevailed in the Old Confederacy; they obtained precedence in the formation of the Federal Constitution—in the making of treaties—in the organization of the Territories, and in the general legislation of the first sessions of Congress. She paid but three-fifths of her quota to support the Confederacy, and never has paid more in support of the Federal Government, when her political supremacy is taken into consideration.

It is an unpalatable task for the historian to adjust balances of favors rendered and benefits bestowed, in a family where all should be brotherhood and eager reciprocity of kindness. But, when a portion of that family rises up in arms against its parent—when they charge upon that mother wrong and oppression, it is the imperative duty of the historian to exhibit all the facts in the case that the responsibility of revolution may be fixed upon the proper party.

Viewed in all respects the Southern rebellion can but be pronounced a monstrous example of tyranny, ingratitude and wrong.

* See page 168.

CHAPTER XI.

ACTION OF THE CRISIS COMMITTEE. THE FINAL REPORTS.

Committee of Thirty-three.

Monday, January 7th, Winter Davis's amendment to the Fugitive Slave law was under consideration by the Committee of Thirty-three. The amendment gave to the alleged fugitive the right of trial by jury in the State from which he might have escaped. Mr. Washburn, of Wisconsin, moved an amendment requiring the trial to take place in the State where the fugitive was arrested, but it failed by two votes. The resolution of Mr. Davis was then adopted. Tuesday, the Committee substantially concluded its labors. Most of the sitting was devoted to the discussion of two propositions, submitted by Mr. Dunn—one to prevent armed invasions of the States, and the other to protect citizens of one State, while traveling or sojourning in another. They were referred to a sub-committee, consisting of Messrs. Dunn, Millson and Davis. Bills were to be prepared by the members covering their various propositions as adopted, to be introduced to the House with the Majority report.

The Majority Report was not ready to submit until January 14th, when Mr. Corwin laid the document before the House, as the result of the Committee's deliberations. Its importance as a legislative document requires its quotation here entire :

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"The Select Committee, to whom was referred so much of the President's Message as relates to the present perilous condition of the country, have instructed their Chairman to report the bills and resolutions adopted by them, with such comments as he may deem proper.

"The terms of the resolution of reference were such as to advise the Committee of the magnitude of the subjects referred to them, and were regarded as an earnest appeal for their prompt action. By

adverting to that portion of the President's Message referred to the Committee, it will be seen that, in his opinion, the causes of the present discontents are to be found in the history of our public affairs, dating back to the year 1835, comprehending the legislative enactments of several States—the agitations of the public mind on the subject of Slavery—the improper circulation of papers tending to produce apprehension of domestic insurrection in the Slaveholding States, and the forcible opposition to the peaceful execution of the laws of Congress for the recovery of fugitive slaves.

"The matters here alleged as having given rise to the present disturbed condition of the public mind of the South, are of a character which could only be ascertained by a knowledge of the current history of our politics as exhibited in the newspaper press, in the grounds assumed by the various political parties, and manifested by the votes of the people in electing State and Federal officers.

"Publications emanating from the newspaper or periodical press having a tendency to promote domestic insurrection in any of the States, and circulated with that intent, are, in the judgment of the Committee, highly criminal, and should be so treated by the laws of the several States. The right of free discussion, while it is regarded as absolutely necessary to the maintenance of free government, may be expected, in times of great excitement, to run into occasional licentiousness. The corrective for this evil remains with the State Governments, and the Committee do not doubt that the desired corrective will be promptly applied in all cases when the evil shall have assumed a formidable aspect, while the just and rational freedom of speech and of the press will be carefully preserved.

"The enactment of laws, by some of the States, tending to oppose or embarrass the execution of the acts of Congress for the recovery of fugitives from labor, has been alleged as a prominent complaint on the part of those States of the Union in which Slavery exists. The Committee had been impressed with the belief that this was one of those grievances referred to in the President's Message, to which the Southern States attached great import-

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ance. The resolves of popular assemblies in Southern States—the addresses of speakers to Southern audiences—the frequent and earnest references to it, by the newspaper press of the South, as a great and flagrant violation of the Constitution, and of the fraternal relation of the Free to the Slave States, the denunciation of those laws by Southern members of Congress, in both branches of the National Legislature, for the last three or four years—have, together, given to this subject great, and in the judgment of the Committee, undue importance. With whatever intent or design such laws may have been enacted, in any State, they cannot be regarded as having had any effect in preventing or obstructing the recapture of fugitives from labor. The laws of the United States for the recovery of fugitive slaves are executed exclusively by the United States Courts, and Commissioners appointed by them. As a necessary consequence, it follows that any State law which offers any obstacle to the full and perfect execution of the laws of the United States, would be void, and of no effect whatever, and would be so declared by the United States Courts and Commissioners. Such laws, if any there be, are therefore incompetent to do any mischief whatever to any one concerned in the recapture of a fugitive slave, and at most can be considered only as an exhibition of opposition to a law which some of the States regard as containing provisions dangerous to the rights of free persons residing within their limits. While, therefore, the Committee have not been able to perceive that the State laws complained of can really affect the rights or interests of Southern people, or States, yet from an anxious desire to conciliate the feelings, as well as to protect the interests of our fellow-citizens of the South, the Committee have respectfully requested all Non-slaveholding States carefully to revise their legislative acts, and repeal all laws which come in conflict with the Constitution of the United States, or with the laws enacted by Congress for the recapture of fugitives from labor, and have submitted a resolution to that effect for adoption by the House.

“We have seen with satisfaction that the Governors of several States, within the last week, have brought the subject to the notice of their respective Legislatures, and recommended legislative action, in accordance with the views of the Committee, and we entertain no doubt that the feelings, as well as the interests, of all the Non-slaveholding States will combine to effect the great object so much desired—the restoration of mutual respect and confidence between all the States of the Union.

“The Committee deemed it incumbent on them, in connection with the foregoing subject, to revise,

to some extent, the laws now in force for the recovery of fugitives from labor. After the

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most careful examination of the subject, the Committee have framed an amendment to the existing laws, which, it is believed, will much improve them.

“The law of 1850 was supposed to contain a provision which positively required any citizen who might be called on for this purpose, to aid the owner of a fugitive, or his agent, or the Marshal of the United States, in searching for and capturing such fugitive, whether forcible resistance were apprehended or not. This idea, whether well or ill-founded, has, to a very great extent, become the popular belief in many of the States, and, in the opinion of the Committee, has had the effect to render the law distasteful and offensive. It is obvious that such belief would operate to cripple the efficiency of the law, and, to some extent, prevent its prompt and peaceful execution, where that belief prevailed. It is reasonable to suppose that this odious provision, believed to be a part of the law, has given rise to much of that opposition to it, so much complained of by the South. The second section of the bill presented by the Committee, it is believed, will relieve the law from all objection of that kind, and tend materially to its easy and speedy execution, thus improving its efficiency as a remedy, by making it more acceptable to the people among whom it is to be enforced, and by whose aid, in case of forcible resistance, it is to be made effectual.

“The provisions of the first section of the bill, it is hoped, will secure the fugitive (if he alleges he is free) a fair and impartial trial, more certainly than the law as it now stands. The Committee believe that this uncertainty as to the fate of one arrested as a fugitive, has given rise to the few instances known to us, of forcible resistance to the law. The same objection to the present law has undoubtedly stimulated the passage, in most instances, of what are called ‘Personal Liberty bills’ in some of the States. It should be borne in mind, that the objections urged by the Northern people are not to a law for the recovery of fugitives who *really* owe labor, but they are founded in the belief that the present law may and does permit the seizure of persons who are free, and subjects them to servitude contrary to both law and right. The Committee believe it to be unjust to the Free States, to assert that any considerable number of persons in those States are opposed to the reclamation of persons who, by the laws of any State, owe labor or service to another. If any such class exists, it is that known as Abolitionists. This class asserts its opposition to the Constitution, because it does authorize the pursuit and re-capture of fugitive slaves. In whatever light the persons composing this class may be regarded, it is certain

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their numbers are so small, compared with the entire voting population of the Free States,

that no danger can result to the constitutional rights of any portion of the Union from their peculiar opinions, or their modes of commending them to the general public. It is certainly true that this class does not act with any of the great political parties of the day, and that its chief leaders, and most talented orators, were most strenuously opposed to the Republican party in the late Presidential contest, and denounced it and its doctrines in bitter and unsparing terms. The great mistake, which is now urging on the public mind to the wildest excesses, consists in confounding the class of men known by the name of Abolitionists with the great mass of the Republican party of the North and West. Similar to this, and growing mainly out of it, is a belief which seems to have obtained very generally in the South, that the people of the Non-slaveholding States, having succeeded in electing a President, entertain a secret design to accumulate political power in both branches of Congress, until, through Congressional action, it will abolish Slavery in the States where it may then exist. How this purpose will be accomplished, we are not informed. This prediction has been poured into the ears of excited multitudes from the mouths of popular orators, and placed before their eyes in the pages of partisan presses, until in the Southern mind it seems to have assumed the form of a plausible fact. The party charged with this purpose when it met in Convention at Chicago to nominate its candidate, previous to the last Presidential election, declared its doctrine on this point in the following words:—'That the maintenance in-violate of the rights of the States, and especially the right of each to order and control its domestic institutions, according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.' Notwithstanding the preposterous character of this idea, the Committee have deemed the belief in it, in some portions of the South, sufficiently important to demand a notice at this time.

"That nothing possible should be left unattempted, in order to efface these false impressions, by the Committee, they have prepared, and submit, an amendment to the Constitution, whereby any power to interfere with Slavery in the States is forever denied to Congress till every State in the Union, by its individual State action, shall consent to its exercise. They entertain a confident belief that this amendment will be approved by the number of States required by the Constitution to secure its adoption. If

this shall not secure Slavery in the States against the possibility of interference by Federal

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power, we are wholly incapable of conceiving any form of Constitutional guaranty which will, or which will satisfy those who demand further security for their rights.

"The Committee are well aware that the frequent agitation of the subject of Slavery, in political contests, has given rise, in the minds of many, to fearful forebodings of disunion. It has undoubtedly contributed to the present alienation of feeling between the Northern and Western and Southern and South-western sections of the Republic. Investigations into the rightfulness or policy of what is properly called forced labor, when conducted by thoughtful and discreet minds, in calm temper, guided by the laws of sound morals and political philosophy, could scarcely be attended with danger to the peace of society, and might be productive of much good. It is equally true that discussion touching the constitutional powers of the Federal Government and the powers of the States over the subject of Slavery, when properly conducted, would have the effect to elicit truth rather than to endanger public tranquility. But when this subject is brought into the arena of party politics, our experience has shown that it too frequently fails to attain the desired end, without disturbing to a dangerous extent the harmony and good will, so much to be desired, between all sections of the Republic. The truth of this remark will be fully shown by a brief reference to our history. In 1821 Missouri was admitted as a Slave State, and Slavery was, at the same time, prohibited in all the Territory lying North of the parallel 36 deg. 30 min. North latitude. At that time, so great was the agitation, that men not at all prone to regard imaginary in the light of real danger, entertained great fears for the stability of the Government. The public mind, however, became calm, and yielding to the suggestions of true patriotism, harmony was restored, and public prosperity advanced with rapid steps. The next event which brought the subject of Slavery into public consideration was the annexation of Texas. The Presidential election of 1844 was made to turn almost entirely upon this single question. The great majority of the people of the Free States were much dissatisfied with the result; but with their views of duty as citizens of a free Republic, they submitted with regret, but with no disposition to make improper opposition to the will of the people expressed in accordance with all the forms of law. Between this period and that of 1821, the public mind had not been agitated nor the public peace at all endangered by discussion or Federal legislation touching the subject of slavery.

"The late war with Mexico resulted in the acqui-

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tion of Territory. From the moment of this acquisition the question of the occupation of the Territory ceded by the treaty of peace with Slave or Free labor, again called into action all the conflicting opinions and ideas which have been, and perhaps always will be held on the subject of Slavery, until all men shall be agreed as to the moral and economical principles on which it rests. This struggle was attended with all the angry discussions which had so signally marked the two previous contests. Then, as now, disunion was threatened—public bodies resolved on Secession, and for two years scarcely any other question of interest was known or discussed in Congress. At length, in September 1850, Congress acted finally on the subject, and a peaceful, though in some quarters, a sullen acquiescence followed. The leading spirits of all parties, at that time, however, bowed eternal fidelity to that compromise, and the public mind, at that time, had reason to hope that our dominion having reached the Pacific Ocean, future acquisition of Territory would not be desired, and, by consequence, this disturbing question would not again arise. In 1854, however, by the repeal of the law of 1821, known as the Missouri Compromise, and the attempt to extend Slavery into Territory where, by that venerable law, it had been prohibited, this disturbing question was again opened out of the grave in which it had been buried. In 1850 this fearful spirit of discord arose. The present deplorable condition of the country bears witness to the mischief which it has wrought. We see strong and opposite parties maintaining opposite opinions on this very question—these hostile opinions are strenuously adhered to on each side, leaving little or no hope of agreement without a surrender of convictions honestly entertained. An adjustment founded upon legal principles, in which all will agree, seems quite impossible. The expedient of withdrawing the subject-matter of controversy from this conflict of opinion, and by another mode of settlement giving to the South and the North all that each, under existing circumstances, would expect, or should desire to obtain, seems to the Committee the best, if not the only mode of adjustment left us.

"The Committee are impressed with a belief, growing out of the admonitions furnished by our past history, that, in a Republic constituted as ours is, in all cases where parties are obstinately divided in opinion, on subjects which touch the interests, or make up the passions of different sections, it is the clear dictate of sound policy to withdraw the subject, in every case possible, from the strife of parties, and to keep the Federal Government as far removed from any connection with it as duty to the Constitution will permit. The Committee deem the

present controversy, involving the right to carry Slavery into Territory not yet formed into

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State Governments, one peculiarly fitted for the application of the principle just announced.

"It is contended on the one hand, that in all the Territory now in possession of the United States, not embraced within the limits of any State, and lying South of the parallel of latitude 36 deg. 30 min. North, Slavery shall be established and protected by a law of Congress. The Territory thus defined comprehends the now organized Territory of New Mexico, including Arizona, which last, by law of Congress, has been attached to and made a part of New Mexico. This Territory was organized in 1850. By its organic law, the Territorial Legislature was authorized to enact laws and report them to Congress. It was provided in the same act, that if Congress should disapprove the laws thus made, they should be null and void.

"In the year 1850, the Territorial Legislature of New Mexico established Slavery in that Territory. This law was annulled at the last session of Congress, by a vote of the House, but the Senate have not yet acted upon the bill. So the law of the Territory, not having been annulled by both Houses of Congress, remains in full force, and is thus established, and now exists by law in New Mexico.

"It is further provided by the act of 1850, that New Mexico, when she is admitted into the Union, shall be admitted with or without Slavery, as her Constitution may ordain. The Committee now propose to admit New Mexico into the Union as a State, on an equal footing with the original States. By this course the faith of the nation, pledged in the act of 1850, will be preserved, and Territory lying South of the parallel 36 deg. 30 min. will be disposed of, and the subject matter of controversy removed from the jurisdiction of the Federal Government. Thus all claimed by the South will be obtained, while the Northern portion of our remaining Territory will be subject to such law as the Constitution and Congress may furnish for its government.

"By this adjustment of the present Territory of the Union, including the Territory of all the States, it will be found that the area of the Free States and Territories, including all North of the line of 36 deg. 30 min., contains 1,648,779 square miles, and a population of 19,036,739, making a population of about 11 5-10 to the square mile.

"The area of the Slaveholding States, including New Mexico, is 1,094,504 square miles, with a Federal population of 9 7-10 to the square mile.

"By this arrangement of all the Territory owned by the United States, when New Mexico is admitted as a Slave State, that possessed by the Slaveholding States will be greater, in proportion to Federal pop-

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ulation, than that occupied by the Non-slaveholding States and Territories. The Committee

are at a loss to conceive what more than this can be demanded or desired by the South. This settlement commends itself to our acceptance as one which demands of no one any surrender of opinion for or against Slavery, for or against any proposition of constitutional law, and withdraws, for ever, from contest between North and South all Territory which the latter desire to possess—constituting it a State, with the privilege belonging to all States, to adopt such domestic institutions as her own sense of duty and interest shall determine.

"If it be objected that the population of the proposed State is too small to justify her admission into the Union at this time, we answer that it now contains a larger white population than either of two States now in the Union, and represented in both branches of Congress. The present population of New Mexico, including New Mexico, is estimated at 105,000. This computation of era and population may not be correct, but it is based on reliable data. It may also be objected that the present resources of the Territory are not equal to the support of a State Government. If this objection has any foundation in fact, it may be easily removed by liberal donations, such as Congress has often before made to new States on their coming into the Union. The Committee consider these and other objections to this plan, which might be suggested as too insignificant to weigh for a moment against the incalculable benefit to all the States, and all the people of all the States, which it is hoped may flow from the adoption of the measures proposed. Other plans and modes of adjustment have been presented and considered by the Committee. All of them, however, involve the surrender of opinions on questions of Constitutional law, long held by a large portion of the people, and too firmly grounded in their convictions to justify a demand of their abandonment, especially when the result desired by all can be reached without that sacrifice.

"From the beginning of our deliberations it was apparent that the disposition of that portion of our Territory lying South of the parallel of 36 deg. 30 min. was the main subject of difficulty. The settlement of that question was, however, complicated with a provision much insisted on for Territory hereafter to be acquired. This did not seem to the Committee properly to belong to the subject. The Committee did not think proper to extend their consideration of the embarrassments arising out of the occupation of Territory now within our possession to Territory which might or might not hereafter be acquired. It seemed to them improper, if not absurd, while our Government was threatened with

overthrow by an angry controversy touching the disposition of our present Territorial pos-

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sessions, to employ our time in arranging for a partition among ourselves of the Territorial dominions of neighboring nations, looking to a future which, when it shall come, will probably bring with it circumstances and conditions which could not be now foreseen, and which, therefore, should be left to the judgments of those whose duty it may become to consider and act upon them.

"The subject of Slavery in the District of Columbia, and in those places in the Slaveholding States where the Federal Government has exclusive jurisdiction, as well as the inter-State Slave-trade, have been disposed of by a resolution accompanying this report, and the reason for that disposition briefly given in the resolution itself.

"The rendition of fugitives from justice has, at all times, and especially lately, been a source of much irritation between the States, and has recently connected itself, unhappily, with the subject of Slavery. The provisions of the Constitution have been differently construed by the Governors of different States, leading to controversy unfriendly to those amiable relations which should always subsist between the States.

"To remedy this mischief, the Committee have thought it expedient to transfer the duty of acting upon the requisitions of fugitives from justice from the Governors of the States to the Courts of the United States, so as to secure a judicial construction of the Constitution, and also secure uniformity of action on the subject, and present a bill for that purpose.

"The Committee have prepared several resolutions which do not propose action on any specific subject; but which, if adopted and approved by a vote of the House, may serve to announce principles which seem in some quarters to be questioned, while their adoption may tend to correct errors and misrepresentations that have obtained a too general belief in the Southern section of the Union.

"The intrinsic difficulties which belong to the subject must be the apology of the Committee for the time consumed in coming to the conclusions now submitted to the House. If the results which we have reached should fail to accomplish the so much desired end, the Committee still entertain a confident belief that Congress will speedily adopt some measure which will be accepted by all as a just and fair basis upon which the paternal relations between all sections of the Union may be restored.

"It is proper to observe that the Committee were not unanimous on all the resolutions and bills presented; but a majority of a quorum was obtained on them all. "THOMAS CORWIN, Chairman."

The minority report of Messrs. Washburn and Tappan was a long, interesting and able argument on the resolutions agreed upon in the Committee. It protested against the several resolves looking to concessions to the slave power, believing that the disease of disunion had become chronic and would not be cured by concessions. We can give only the closing paragraphs of the Report as embodying its conclusions:—

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“Having thus expressed our views on all the propositions of the Committee that contemplate any action, we feel compelled to say, that in our judgment they are one and all powerless for permanent good. The present dissatisfaction and discontent does not arise from the fact that the North has passed personal Liberty bills, or that the Fugitive Slave law is not faithfully executed, neither does it arise from an apprehension that the North proposes to interfere with Slavery in the States where it exists.

“The treasonable purposes of South Carolina are not of recent origin. In the recent Convention of that State leading members made use of the following language, in the debate on the passage of the Ordinance of Secession.

Mr. Parker—“Mr. President, it appears to me, with great deference to the opinions that have been expressed, that the public mind is fully made up to the great occasion that now awaits us. It is no spasmodic effort that has come suddenly upon us, but it has been gradually culminating for a long series of years, until at last it has come to that point when we may say the matter is entirely right.”

Mr. Inglis—“Mr. President, if there is any gentleman present who wishes to debate this matter, of course this body will hear him; but as to delay for the purpose of discussion, I, for one, am opposed to it. As my friend (Mr. Parker) has said, most of us here had this matter under consideration for the last twenty years, and I presume we had, by this time, arrived at a decision upon the subject.”

Mr. Keitt—“Sir, we are performing a great act, which involves not only the stirring present, but embraces the whole great future for ages to come. I have been engaged in this great movement ever since I entered political life. I am content with what has been done to-day, and content with what will take place to-morrow. We have carried the body of this Union to its last resting place, and now we will drop the flag over its grave. After that is done, I am ready to adjourn, and leave the remaining ceremonies for to-morrow.”

Mr. Rhett—“The Secession of South Carolina is not an event of a day. It is not anything produced by Mr. Lincoln's election, or by non-execution of the Fugitive Slave law. It has been a matter which has been gathering head for thirty years. The election of Lincoln and Hamlin was the last straw on the back of the camel. But it was not the only one. The back was nearly broken before. The point upon which I now differ from my friend, is this: He says he thought it expedient, for us to put this great question before the world upon this simple matter of wrongs on the question of Slavery,

and that question turned upon the Fugitive Slave law. Now, in regard to the Fugitive Slave law, I myself doubt its unconstitutionality, and I doubted it on the floor of the Senate when I was a member of that body. The States acting in their sovereign capacity should be responsible for the rendition of fugitive slaves. This was our best security.”

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“Such sentiments, expressing the opinions of leading representative men in the South Carolina movement, ought to satisfy, it seems to us, any reasonable man, that the proposed measures of the majority of the Committee will be powerless for good.

“South Carolina is our ‘sick man,’ that is laboring under the influence of the most distressing of maladies. A morbid disease which has been preying upon that State for a long series of years has at last assumed the character of acute mania, and has extended to other members of the Confederacy, and to think of restoring the patient to health by the nostrums proposed, is, in our judgment, perfectly idle.

“But we hear it said ‘something must be done or the Union will be dissolved.’ We do not care to go into a nice calculation of the benefits and disadvantages to the several States arising from the Union, with a view of striking a balance between them. Should we do so, we are convinced that that balance would largely favor the Southern section of the Confederacy.

“The North has never felt inclined to calculate the value of the Union. It may not be improper to inquire in this connection whether the State of South Carolina and the other ultra Secession States have been so oppressed by our Government as to render their continuance in the Union intolerable to their citizens.

“It is not pretended that they ever lose fugitive slaves, or that any escaping from those States have not been delivered up when demanded; nor is it pretended that the Personal Liberty bills of any State have practically affected any of their citizens. Neither do they complain that they cannot now go with their slaves into any Territory of the United States. The Supreme Court has decided that they have that right.

“Is it, then, complained that their citizens, under the operation of the Federal laws, are compelled to contribute an undue proportion of the means to maintain the Government? If so, and the complaint is well founded, it is deserving of notice.

“But it is not true in point of fact. We could easily demonstrate, by official figures, that the Government of the United States annually expends, for the exclusive use and benefit of South Carolina, a much larger sum than that State contributes for the support of the Government. This same rule will hold true in regard to most of the States that are

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now so anxious to dissolve their connection with the Union.

"Florida, which contains less than one five-hundredth part of the white population of the Union, and a State which has cost us directly and indirectly not less than \$40,000,000, and upon which the General Government annually expends sums of money for her benefit, more than four times in excess of her contributions to the support of the Government, has raised her arm against the power which has so liberally sustained her.

"But we will not pursue this subject further. The Union of these States is a necessity, and will be preserved long after the misguided men who seek its overthrow are dead and forgotten, or if not forgotten, only remembered as the attempted destroyers of the fairest fabric erected for the preservation of human liberty that the world ever saw.

"It is not to be preserved by compromises or sacrifices of principles. South Carolina, it is believed, is fast learning the value of the Union, and the experience she is now acquiring will be of immeasurable value to her and her sister States, when she shall return to her allegiance. If other States insist upon the purchase of that knowledge in the school of experience at the price paid by South Carolina, while we may deprecate their folly, we cannot doubt its lasting value to them.

"Regarding the present discontent and hostility in the South as wholly without just cause, we submit the following resolution, which is the same as that recently offered in the United States Senate by Mr. Clark, of New Hampshire:

"*Resolved*, That the provisions of the Constitution are ample for the preservation of the Union, and the protection of all the material interests of the country; that it needs to be obeyed rather than amended, and our extrication from present difficulties is to be looked for in efforts to preserve and protect the public property and enforce the laws, rather than in new guarantees for particular interests, or compromises, or concessions to unreasonable demands.

(Sighed)

"C. C. WASHBURN,

"MASON W. TAPPAN."

the way of compromise."

The minority report, signed by the representatives of the

The Minority Reports.

Pacific coast, Messrs. Burch and Stout, declared the requisite vote for constitutional amendments by this Congress cannot be had; and since there is such a contrariety of views and opinions among members of the same party, as leave no hope from their action which would meet all demands, they were willing to refer the matters of difference between the North and South to the source of Federal power and the delegates elected with a view direct to their settlement. They concurred in many of the measures recommended by the majority, and reported a resolution additional to theirs. This resolution received 14 votes, while 15 voted against it in the Committee. It proposed to call a National Constitutional Convention.

Thus ended the action of this important Committee. Its results, or want of results, proclaimed to the people that the differences between the two sections were too radical for the cure of compromise. The public in the North, thereafter, looked to the Executive for the preservation of the country—the means to be left to circumstances. In the South, the leaders of the movement for disunion hastened the action of States looking to the formation of a new government, that should be prepared to cope with any obstacles which the Federal Executive might oppose to the abrogation of its authority by the States. Prior to this, however, the affair of the *Star of the West*, [see Chap. XII.], had aroused the loyal spirit of the North, while it reassured the revolutionists of the imminence of their danger and added to their zeal for the formation of their consolidated administration. Divided, they were powerless to meet the strong arm of the General Government: combined, they would offer such a front of defense and defiance as might induce the North to terms of peaceful separation. The speech of Mr. Yancey, before the Alabama Convention, [see page 205,] in justification of the Convention's refusal to submit the Ordinance of Secession to a vote of the people—proves that the leaders considered the danger as overriding even the claims of the people.

The minority report of Messrs. Love and Hamilton, embraced propositions covering the Crittenden basis of settlement. The Report of Mr. Adams, of Massachusetts was a protest, or rather plea, to extenuate his refusal to accede to the Majority Report, notwithstanding he had voted, in committee, for its several propositions. He withdrew his assent "for the reason that the Southern members have generally retired from the committee, thereby showing an unwillingness to accept anything the North could yield in

CHAPTER XII.

THE AFFAIR OF THE STAR OF THE WEST.

Sailing of the
Transport.

As stated, the Steamer *Star of the West*, loaded secretly in New York during the first week of January, by orders from the War Department, with provisions and munitions for Fort Sumter. She dropped down the Bay Saturday evening, January 5th. During the night two hundred choice troops were put on board from a steam-tug, dispatched from Governor's Island, and the vessel put to sea, steering directly for Charleston.

This departure was made known immediately to the Charleston authorities by a reporter of a leading New York morning paper, who had succeeded in becoming acquainted with the facts—thus giving the South Carolina authorities ample opportunity for their "defensive" preparations. A strong battery had been thrown up on Morris' island, at the entrance of the harbor. A small steamer was sent outside to reconnoitre, and give alarm of the transport's approach. The buoys, lights, and ranges had previously been removed, when it was known that the *Brooklyn*, then lying at Norfolk, was ready to sail for the harbor at any moment. She was now expected to cooperate with the *Star of the West*—to engage the battery and Fort Moultrie, while the steamer should run direct for Sumter.

The transport arrived off the mouth of Charleston harbor at 1.30 a. m., on the 9th. The captain, in his report to the owners of the vessel, said: "I could find no guiding-marks for the bar, as the lights were all out. We proceeded with great caution, running very slow and sounding until about 4 a. m., being then in about four and a half fathoms of water, when we discovered a light through the haze, which at that time crossed the horizon. Concluding that the light was on Fort Sumter, after getting the bearings of it,

The Steamer Fired
Into.

we steered to the S. W. for the main ship channel, when we hove to to await daylight, our lights having all been put out since twelve o'clock, to avoid being seen. As the day began to break, discovered a steamer just in-shore of us, which, as soon as she saw us, burned one blue light and two red lights, as signals, and shortly after steamed over the bar and into the ship channel. The soldiers were now all put below, and no one allowed on the deck except our own crew. As soon as there was light enough to see, we crossed the bar, and proceeded on up the channel (the outer bar buoy having been taken away). The steamer ahead of us sending off rockets and burning lights until after broad daylight, continuing on her course up, near two miles ahead of us. When we arrived about two miles from Fort Moultrie—Fort Sumter being about the same distance—a masked battery on Morris' Island, where there was a red Palmetto flag flying, opened fire upon us—distance about five-eighths of a mile. We had the American flag flying at our flagstaff at the time, and, soon after the first shot, hoisted a large American ensign at the fore. We continued on under the fire of the battery for over ten minutes; several of the shots going clean over us. One passed just clear of the pilot-house. Another passed between the smoke-stack and walking-beam of the engine. Another struck the ship just abaft the fore-rigging and stove in the planking, and another came within an ace of carrying away the rudder. At the same time there was a movement of two steamers from near Fort Moultrie—one of them towing a schooner—(I presume an armed schooner), with the intention of cutting us off. Our position now became rather critical, as we had to approach Fort Moultrie to within three-fourths of a mile, before we could keep away for Fort

Sumter. A steamer approaching us with an armed schooner in tow, and the battery on the island firing at us all the time, and, having no cannon to defend ourselves from the attack of the vessels, we concluded that, to avoid certain capture or destruction, we would endeavor to get to sea. Consequently, we wore round and steamed down the channel, the battery firing upon us until their shot fell short. As it was now strong ebb tide, and the water having fallen some three feet, we proceeded with caution, and crossed the bar safely at 8.50 a. m."

The vessel steamed away for New York, arriving there on the morning of the 12th, not having seen the *Brooklyn*.

It was a sadly mismanaged affair throughout. A large, heavy-draught, side-wheel steamer, with walking-beam, engine and wheels, all so open that one well-directed ball or shell would have disabled the craft and left her an easy capture to a small body of men, was not the proper transport to have chosen for the perilous service. A propeller could have loaded with more secrecy and have proceeded with more safety. She could have run the Morris' battery (as the big steamer actually did), and, by her light draught, could have given Fort Moultrie a wide berth, by steering quite direct for Sumter. This would have rendered the expedition a success. Or, if the *Star of the West* had been prepared with small boats, she could have run out to sea after the repulse, to return on the night of the 9th, and, under cover of the darkness, have thrown in the men and preserved stores. Or, again, if the *Brooklyn* and *Harriet Lane* had been on the spot to engage Moultrie, the landing at Sumter might have been effected. As it was, the adventure reminded of the celebrated expedition told in verse, where twice five hundred men marched up a hill and then—marched down again.

Anderson knew nothing of the character of the *Star of the West*, though he surmised her mission. He had opened his ports, lit the matches, run out three heavy guns, and was on the point of opening fire on Moultrie when the steamer put about and headed for the sea. He immediately addressed Governor Pickens the following note, by the hand of

Lieut. Hall, borne in under cover of the white flag: -

"To his Excellency the Governor
of South Carolina.

Anderson's Letter.

"SIR: Two of your batteries fired this morning upon an unarmed vessel bearing the flag of my Government. As I have not been notified that war has been declared by South Carolina against the Government of the United States, I cannot but think that this hostile act was committed without your sanction or authority. Under that hope, and that alone, did I refrain from opening fire upon your batteries. I have the honor, therefore, to respectfully ask whether the above-mentioned act—one I believe without a parallel in the history of our country or any other civilized Government—was committed in obedience to your instructions, and to notify you if it be not disclaimed, that I must regard it as an act of war; and that I shall not, after a reasonable time for the return of my messenger, permit any vessel to pass within range of the guns of my fort. In order to save, as far as in my power, the shedding of blood, I beg that you will give due notification of this, my decision, to all concerned. Hoping, however, that your answer may be such as will justify a further continuance of forbearance on my part, I have the honor to be, very respectfully,

"Your obedient servant,

"ROBERT ANDERSON,

"Major First Artillery of the United States Army
Commanding.

"FORT SUMTER, Jan. 9, 1861."

After a prolonged interview between the Governor and the leading men of the State, as well as of the Legislature, the following reply was returned:—

"STATE OF CHARLESTON, EXECUTIVE OFFICE,
HEADQUARTERS, CHARLESTON, Jan. 9, 1861. }

"SIR: Your letter has been received. In it you make certain statements which very plainly show that you have not been fully informed by your Government of the precise relations which now exist between it and the State of South Carolina. Official information has been communicated to the Government of the United States that the political connection heretofore existing between the State of South Carolina and the States which were known as the United States had ceased, and that the State of South Carolina had resumed all the powers it had delegated to the United States under the compact known as the Constitution of the United States. The right which the State of South Carolina possessed to change the political relations which she had held with the other States under the Constitu-

Governor Pickens' Reply.

tion of the United States has been solemnly asserted by the people of this State in Convention, and now does not admit of discussion. In anticipation of the Ordinance of Secession, of which the President of the United States had official notification, it was understood by him that sending any reinforcements of troops of the United States in the harbor of Charleston would be regarded by the constituted authorities of the State of South Carolina as an act of hostility, and at the same time it was understood by him that any change in the occupation of the forts in the harbor of Charleston would in like manner be regarded as an act of hostility. Either or both of these events occurring during the period in which the State of South Carolina constituted a part of the United States, was then distinctly notified to the President of the United States as an act or acts of hostility, because either or both would be regarded and could only be intended to dispute the right of the State of South Carolina to that political independence which she has always asserted and will always maintain.

"Whatever would have been, during the continuance of this State while a member of the United States, an act of hostility, became much more so when the State of South Carolina had dissolved all connection with the Government of the United States. After the Secession of South Carolina, Fort Sumter continued in the possession of the troops of the United States. How that fort is at this time in possession of the troops of the United States, it is not now necessary to discuss. It will suffice to say that the occupancy of that fort has been regarded by the State of South Carolina as the first act of positive hostility committed by the troops of the United States within the limits of this State, and was in this light regarded as so unequivocal, that it occasioned the termination of the negotiation, then pending at Washington, between the Commissioners of the State of South Carolina and the President of the United States. The attempt to reinforce the troops now in Fort Sumter, or to retake and resume possession of the forts within the waters of this State which you abandoned, after spiking the guns placed there, and doing otherwise much damage, cannot be regarded by the authorities of the State as indicative of any other purpose than the coercion of the State by the armed forces of your Government. To repel such an attempt, is too plainly a duty to allow it to be discussed; and while defending its waters, the authorities of the State have been careful so to conduct the affairs of the State that no act, however necessary for its defense, should lead to a useless waste of life. Special agents, therefore, have been off the

Governor Pickens' Reply.

bar to warn all approaching vessels, if armed or unarmed, and having troops to reinforce the fort on board, not to enter the port of Charleston; and special orders have been given to the commanders of all the forts and batteries not to fire at such vessels until a shot fired across their bows would warn them of the prohibition of the State.

"Under these circumstances, the *Star of the West*, it is understood, this morning attempted to enter this harbor with troops on board, and having been notified that she could not enter, was fired into. The act is perfectly justified by me. In regard to your threat in regard to vessels in the harbor, it is only necessary to say that you must judge of your responsibility. Your position in this harbor has been tolerated by the authorities of the State, and while the act of which you complain is in perfect consistency with the rights and duties of the States, it is not perceived how far the conduct which you propose to adopt can find a parallel in the history of any country, or be reconciled with any other purpose of your Government than that of imposing upon this State the condition of a conquered province.

"F. W. PICKENS."

The Legislature being in session this correspondence was immediately laid before it, when, after its reading, the following resolutions were immediately adopted:—

"*Resolved*, That this General Assembly looks upon any attempt to reinforce the troops now in possession of Fort Sumter as an act of open and undisguised hostility on the part of the Government of the United States.

"*Resolved further*, That this General Assembly learns with pride and pleasure of the successful resistance this day by the troops of this State acting under orders of the Governor, to an attempt to reinforce Fort Sumter.

"*Resolved further*, That this General Assembly entirely approves and indorses the communication of the Governor this day made to Major Anderson.

"*Resolved further*, That this General Assembly pledges itself to an earnest, vigorous and unhesitating support of the Governor in every means adopted by him in defense of the honor and safety of the State."

This was soon succeeded by a further communication from the Governor, enclosing Major Anderson's reply to the Governor's answer to his first note. The documents read:—

Further Correspondence.

"EXECUTIVE OFFICE, January 9, 1861.

"To the Senate and House of Representatives:

"I have just this moment received, under a white flag, from Major Anderson, Commandant at Fort Sumter, another note, a copy of which accompanies this.

"I immediately granted the permission desired, and directed every facility and courtesy extended to the bearer of his dispatches (Lieut. Talbot) for his Government, going and returning.

"FRANCIS W. PICKENS."

"HEADQUARTERS, FORT SUMTER, S. C., }
"January 9, 1861. }

"To his Excellency F. W. Pickens, Governor of the State of South Carolina:

"SIR: I have the honor to acknowledge the receipt of your communication of to-day, and to say, that under the circumstances I have deemed it proper to refer the whole matter to my Government, and that I intend deferring the course indicated in my note of this morning until the arrival from Washington of the instructions I may receive. I have the honor also to express the hope that no obstructions will be placed in the way of, and that you will do me the favor of giving every facility to, the departure and return of the bearer, Lieut. T. Talbot, United States Army, who has been directed to make the journey.

"I have the honor to be, very respectfully,

"ROBERT ANDERSON,

"Major United States, Commanding."

If anything was wanting

Popular Indignation. to cement the Union sentiment in the North, nothing could have been conceived better calculated to arouse the feeling of resistance to the revolution than this firing on the American flag. The indignity of the act awoke, in the hearts of all classes and parties in the North, but one emotion—that of indignation, and a resolve to avenge the insult. The unity of popular sentiment produced by the dispatches announcing the news, resembled the gathering of the elements preparatory to a terrific storm. All issues were suddenly merged in that of resentment for the outrage offered the Government. This may be inferred from the tone of the opposition press, which, up to that moment, had clamoured for compromise and had deprecated all thoughts of coercion. Thus the Breckenridge organ at Albany said:

"If the *Star of the West*, in commission of

the Government, has been fired upon at the entrance of Charleston Harbor, by order of the authorities of the State of South Carolina, and the communication of the Government with one of its military posts thus forcibly prevented, there is but one course to pursue. The authority and dignity of the Government must be vindicated at every hazard. The issue thus having been made, it must be met and sustained, if necessary, by the whole power of the navy and army. We take it for granted, that, if the present version of the affair is correct, a vessel of war will be dispatched and will enter the harbor and communicate with Major Anderson at any cost. Thus much is necessary to preserve for the Government a decent respect, both at home and abroad." The editor "took for granted" what did not follow. The President, evidently alarmed at the crisis thus thrust upon him, neither ordered the *Star of the West* back; nor the *Brooklyn* and *Harriet Lane*, vessels of war, to Charleston; nor did he authorize Major Anderson to execute his threat; nor did he allow the Major the poor privilege of shelling the offending battery and Fort Moultrie for their treason and insolence. He had to sit upon his lonely ramparts, day by day, there to watch the swarms of soldiers and negroes on the islands around him throwing up batteries and preparing for his destruction. No order, no encouraging voice came from Washington to inspirit him. But, from the twenty millions of loyal lips went up a shout which must have thrilled his soul like the sound of an Archangel's clarion. The people were true; and, thus comforted, the little garrison labored incessantly, to its utmost strength, to mount the guns which would be needed for the assault seemingly close at hand. Sumter seemed left to its fate. It lay out in the waters, silent and gloomy, like a sullen thought in the Nation's heart. It ere long became radiant with fires which shot from its ports, not only to Moultrie and Morris island, but to the farthest verge of the Union, to kindle the beacons of patriotism on every hill, and in every valley of the teeming North.

CHAPTER XIII.

SECRETARY OF THE INTERIOR RESIGNS. MR. HOLT IN THE WAR DEPARTMENT. THE PREVALENCE OF TREASON. THE LAW OF TREASON. RESIGNATION OF MR. THOMAS AND APPOINTMENT OF GENERAL DIX TO THE TREASURY.

Resignation of Mr. Thompson.
 HON. JACOB THOMPSON, Secretary of the Interior, resigned his Cabinet seat,

Thursday, January 8th. His reasons were, that: "after the order to reenforce Major Anderson was countermanded, on the 31st of December, there was a distinct understanding that no troops should be ordered South without the subject being considered and decided on in the Cabinet. At the Cabinet meeting, on the 2d of January, the matter was again debated, but not determined. Notwithstanding these facts, the Secretary of War, without the knowledge of Secretary Thompson, sent 250 troops in the *Star of the West* to reenforce Anderson. Not learning of this till Tuesday morning, he forthwith resigned." The resignation proved a relief rather than an embarrassment to the President. He was, like all the Southern men in the Cabinet, inimical to a policy of resistance to the revolution, and served only to distract the Cabinet Council. The remaining Southern member, Mr. Thomas, of Maryland, Secretary of the Treasury, was less offensive than any of those who had withdrawn; but, being a "Southern man," his resignation was, also, daily looked for, and, by the great mass of the people and Members of Congress, was desired.

Congress not being in session Tuesday, Mr. Buchanan was waited upon by a large number of Congressmen, as well as by eminent persons then in Washington, to be congratulated on the growing sentiment for Union. He was quite generally assured that his policy of resistance would not only gratify the majority of the people, but that they would be satisfied with nothing less than a firm enforcement of the laws. The President expressed much gratification with these assur-

ances, and declared his purpose to do his whole duty, fearlessly.

Mr. Holt, Postmaster-General, continued to discharge the duties of the War Department. His labors were almost exclusively performed in General Scott's office, where he could find not only privacy, but could, at all moments, obtain the wise counsel of the veteran Lieutenant-General. Spies and Southern emissaries lurked everywhere, and scarcely a whisper was uttered which did not seem to be heard and repeated to the Government's detriment. Eminent men from the South stooped to the mean position of tale-bearers and special reporters; while the army of Southerners in employ of all the departments, in all branches of the Civil service, in the Army and Navy—almost without exception—became petty informers, plotting and intriguing against the Government whose bounty they were living upon. Such wide spread and thorough demoralization of the sentiment of honor never before was witnessed in America: may it never again be seen! Mr. Holt brought to the duties of his responsible position courage, patriotism and industry quite equal to the extraordinary emergencies by which he was environed, and Southern men beheld in him the controlling genius of the unqualified Union policy.

January 9th, the telegraph said: "The Cabinet is now in session, deliberating upon the propriety of arresting Toombs, of Georgia, and Wigfall, of Texas, for high treason." One of the most frequent inquiries made by the people was—why are not these men arrested, whose words and actions are plain treason? It was not answered. One

The War Department.

The Immunity Shown Treason.

excuse offered was the impossibility of sustaining the arrests with sufficient force to make them secure; but the Constitutional timidity of the President, and the opposition offered by the venerable man who occupied the position of Chief Justice of the United States Supreme Court,* were, doubtless, the real causes of the latitude granted to men who were writing and preaching the most undoubted treason; were buying arms to use against the Government; were exciting sedition and corrupting the loyalty of those still true to the Union and the Constitution.†

* Mr. F. C. Treadwell, of New York, on Jan. 16th, proceeded to Washington, to enter formal complaint against a large number of the leading Secessionists. This complaint, legal and *pro forma* in its nature, was returned by the Clerk of the United States Supreme Court, with the message from Judge Taney—not the written endorsement (for that would have been evidence of his own complicity,) as such cases required—that “they were improper papers to be presented to the Court.” The United States Supreme Court thus planted itself before the conspirators to give them immunity from arrest. No wonder the President was hesitating, when even the Supreme Bench offered sympathy to treason!

† The following resolutions, as indicative of the sentiments of a large body of the people, unanimously passed the Central Republican Club of New York City, January 10th:

“Whereas, A band of traitors in the Cabinet at Washington, in both Houses of Congress, and in several of the Southern States of this Republic, have made war against the United States; have seized forts, arsenals, and other public property; robbed the Treasury, obstructed the telegraph, and committed other acts of violence, in combination and conspiracy against the people of the United States, and their Constitution of Government, for the purpose of introducing Slavery temporarily or permanently into every State and Territory of this Union; therefore,

“Resolved, That the Constitution as it is, provides the most perfect system of government known to man; that it needs no amendment, and shall have none, at the beck and call of traitors, or their insolent mouth-pieces,

“Resolved, That we hold ourselves ready, and tender our services to the State, or the National Government, or both, to aid to the extent of our power in crushing this formidable and wicked rebellion; determined, at all hazards, that the Constitution shall

The crime of treason is thus defined by the Constitution [Art. III., sec. 3]: “Treason against the *United States* shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open Court.” The same section also stipulates that Congress shall have power to declare the punishment of treason. In exercising this power Congress passed its act of April 30th, 1790, in which it is declared:

“If any person or persons, owing allegiance to the United States of America, shall levy war against them, or shall adhere to their enemies, giving them aid and comfort, within the United States, or elsewhere, and shall be thereof convicted, on confession in open court, or on the testimony of two witnesses to the same overt act of treason whereof he or they shall stand indicted, such person or persons shall be adjudged guilty of treason against the United States, and shall suffer death.

“If any person or persons, having knowledge of the commission of any of the treasons aforesaid, shall conceal, and not, as soon as may be, disclose and make known the same to the President of the United States, or some one of the judges thereof, or to the President or Governor of a particular State, or some one of the judges or justices thereof, such person or persons, on conviction, shall be adjudged guilty of misprision of treason, and shall be imprisoned not exceeding seven years, and fined not exceeding one thousand dollars.”

Chief Justice Marshall, in administering this act, thus interpreted it:—

“It is not the intention of the Courts to say that no individual can be guilty of this crime who has not appeared in arms against his country.

“On the contrary, if war be actually levied—that is, if a body of men be actually assembled for the purpose of effecting by force a treasonable purpose—all those who perform any part, however minute, or however remote from the scene of action, and who are actually leagued in the general conspiracy, are to be considered as traitors.”

“Overt acts” were everywhere visible throughout the South; while, in the North,

be “preserved, protected, and defended,” peace restored, and the blessings of liberty—of liberty of speech and the press, fully and amply vindicated and secured.”

open and secret sales of arms and munitions were consummated during all the months of December, January and February—arms which the manufacturers and salesmen *knew* were to be used against the Government, and, beyond question, sold them so to be used. The Adams' Express was an accredited carrying agent for the transportation of arms to the South; and, during these months, almost daily transported packages which its agents *knew* to contain arms and munitions ordered by the revolutionary States for use against the Government. During March, large quantities of clothing were manufactured in Northern cities for Southern troops, and rapidly carried South by this same "Southern" Express, knowing the clothing to be for the aid and comfort of the enemies of the Government. In Washington, as we have stated, the Departments, the floors of Congress, the Army, the Navy, all fairly stiffened with the insolence and hauteur of treason and misprision of treason. Army and Navy officers resigned, with the expressed purpose of taking service against their Government—some taking such service *before* they could even know if their resignations were acted upon, as in the cases of Commander Farrand and Lieut. Renshaw, at Pensacola; while others not even deigned to send in a resignation, but took their vessels with them when they passed over to the revolutionists, as in the cases of Capt. Coste, Capt. Breshwood, and Capt. Morrison—each one of whom betrayed his vessel into the hands of the rebels.

How it will astonish future generations to read the law of Congress above quoted, and then to learn that, in the face of all this undisguised cooperation and collusion with the conspirators, not one arrest was made—not one indictment for treason! That the violent Secessionists in Congress, the Army and Navy officers offering their resignations from secession proclivities, the manufacturers and sales-agents of arms,—all *should* have been arrested admits of no question if the law was to be considered else than a dead letter. That Adams' Express Company should have had its charter confiscated, and its rights and immunities sequestered, can hardly be a matter of argument in the face of that act of Congress.

The responsibility of non-action on the part of Congress and the Executive cannot be excused on the plea that the States, individually, had power to punish treason committed against them, for, what was treason against a State was equally treason against the common country, and, therefore, amenable to the Constitutional provision for its punishment. Judge Story says:—

"The power of punishing the crime of treason against the United States is exclusive in Congress; and the trial of the offence belongs exclusively to the tribunals appointed by them. A State cannot take cognizance, or punish the offence; whatever it may do in relation to the offence of treason, committed exclusively against itself, if indeed any case can, under the Constitution, exist, which is not, at the same time, treason against the United States." [Com. on Const. § 1296, p. 173, vol. III.]

On Congress, the Supreme Court, and the Executive, alone must rest the responsibility of non-action. That the growth of the defection was precipitate and wide-spread owing to this very smothering of the plain processes of the law is now, as it then was, evident even to the most casual observer.

A telegram from Washington dated the 11th, stated that the "President had

Further Cabinet
Changes.

signified to Mr. Thomas, Secretary of the Treasury, that his resignation was desired." This is said to have grown out of a visit of several leading capitalists of New York, as representatives of the banks of that city, who expressed a willingness and wish to aid Government with funds, but felt so little confidence in the Secretary that his removal must precede any tenders of money. The fact that Mr. Thomas was a disunionist—as well as his first assistant, Mr. Clayton,—was sufficient to inspire a want of faith in their integrity of administration. The capitalists, it is probable, also suggested the nomination, as Secretary of the Treasury, of General John A. Dix, then Postmaster of New York City. Mr. Thomas resigned (January 11th), and Mr. Dix took the vacated bureau to try and resuscitate the distressed finances of the country from their humiliating condition. The shocking mismanagement of that Department by the Secessionists Secretaries had almost ruined the credit of Government; and Mr. Buchanan performed a wise act in listening to the counsel of

the New York men of money. The Treasury soon felt the magnetism of integrity and patriotism; and, from that hour, it began to recover its old character for efficiency. Howell Cobb took the keys to find the chest absolutely burdened with its riches: Mr. Thomas found and left it in a state of discredit and bankruptcy. The end designed of crippling the Federal Government had been accomplished.

This last change restored the Cabinet to harmony of action. It was now composed of men of undoubted ability and of devoted patriotism, and the President found himself not only

supported in a vigorous policy but soon discovered that his advisers were ready for a true Jacksonian handling of the reins of Government. The brief term of his rule, together with his distaste for a state of war, contributed to lead his feet into bye-paths—to impel him to choose a course of action which should leave the incoming Administration to grapple with the monster which his timidity had not strangled in its infancy.

He was, indeed, to leave for his successor the veritable Pandora box. It was his only legacy.

CHAPTER XIV.

OUR FOREIGN RELATIONS DURING JANUARY. OPINIONS OF THE FRENCH AND ENGLISH PRESS. THE EMPEROR NAPOLEON'S WISHES EXPRESSED.

WHEN it became probable that a disrupted Confederacy would be the result of the disunion revolution, the foreign relations of the country began to excite unwonted interest on the part of the revolutionary leaders. The South turned longingly to England and France for their sympathy. Were these nations not greatly dependant on the products of Slavery for their prosperity? Could they fail to *recognize* a new Confederacy which might safely promise more cotton at a less price than under the old Union? Would they not be happy to establish new commercial relations, unhampered by tariffs, and encouraged by a system of exchanges—the foreign nations acting as consumers of a raw material to return it manufactured? What a fine promise, truly, for British commerce and French looms! And then, weightier than all, would not those nations rejoice to see the great Western Republic reduced from a first-class to a third-rate power—thus giving monarchy a new lease of its prerogatives? All views seemed favorable to the scheme for the Slave Confederation, and the leaders

looked eagerly for the news of each steamer to read their fate, if possible, in the revelations of the foreign press.

The North viewed the matter of English and French sympathy without concern. Appreciating the force of the arguments urged by the South, to create a foreign interest in its behalf, the Free States felt confident of being able to restrain active sympathy for the revolutionists, not more by old ties, treaties and international obligations, than by the repugnance which the people—particularly of Great Britain—felt for Slavery. A pure Slave Confederacy never could win their confidence. If they must have the products of Slave labor, to employ their millions of weavers and spinners, they preferred to practice the little hypocrisy of excusing themselves for the purchase, so long as it came from the *free* United States; but, make the issue direct, to support a Confederation formed *expressly* to extend the area of Slavery, to rivet the chains more securely on the miserable bondmen—*then* the English *people* would cry, never! The North seemed to rest assured of this feeling, and did not experience the

feverish anxiety in regard to foreign relations which possessed the entire South, from a very early moment of the revolution.

It will be of interest to reproduce such expressions of influential foreign journals, during the month of January, as will indicate how our affairs impressed the European mind. Being outside, and comparatively disinterested, observers—the *London Times*, perhaps, excepted—their remarks will serve to give the reader a clearer comprehension of the questions involved than might otherwise be obtained.

The Paris "Constitutionnel." "Mr. Buchanan has sought out the means of preserving the Union from the catastrophe which threatens it; he has drawn up a plan of reconciliation between the Northern and Southern States. It cannot, however, be said that this project is a compromise, inviting the two adverse parties to mutual concessions and equal sacrifices; it is rather a summons addressed to one to yield to the exigencies of the other; it is more like a decision come to with partiality than an equitable arbitration. To the North, which has gained its cause before the people, the President signifies that it must abandon the benefit of the decision for the profit of the South, which has been the losing party. Under pretext of conciliation, the Message calls on the conqueror to place himself under the feet of the conquered. Such is the groundwork of Mr. Buchanan's propositions. * * * * What, then, does Mr. Buchanan ask for? He requires the North to accept, as forming a part of the Constitution itself, the three following points:—1. An express recognition of the right of property over slaves wherever Slavery exists, or may exist. 2. The duty of protecting that right on all the common Territories, until they constitute themselves into States. 3. The recognition of the right of a master to have a fugitive slave delivered up to him by all the States, and a declaration that all the laws of a State, which are in contradiction to that right are so many violations of the Constitution, and must, therefore, be null and of non-effect. It is tantamount to saying to the North: 'Grant to the South all it claims; it will then be satisfied, and will not separate itself from you.' * * * Will the North resign itself to a capitulation of its conscience—to a sacrifice of its self-love—and submit, in exchange for the maintenance of the Confederation, to all the exigencies of the South? Will it accept the evasion proposed to it under the form of remonstrance and wise advice? According to Mr. Buchanan, that would be the only means of saving the Union. Or will the North, irritated in its turn by the reproaches of the President, who throws

on it the whole responsibility of the crisis, persist in its victory, and allow the South, which it has neither threatened nor provoked, to act as it likes? That is what a no distant future will inform us. For our part, our wishes are at the same time for the safety of the great American Republic, and for the gradual diminution of Slavery. We much fear, however, that the North will see in the late Message propositions offensive to it; while the South will find there an encouragement to its projects of rupture. Mr. Buchanan would thus have failed in his attempt at pacification, and will have bequeathed to his fellow-countrymen only an incoherent commentary on the Constitution of the Republic. Would it not have been better if he had referred to a famous letter of Washington, dated in April, 1786, and in which that 'Father of his Country' said: 'There is not a man living who desires more sincerely than I to see a plan adopted for the abolition of Slavery; but there is but one suitable and effectual mode of accomplishing that object—legislative authority.'"—*Dec. 22d.*

"Never for many years can the United States be to the world what they have been. The *London Times*. Mr. Buchanan's message has been a greater blow to the American people than all the rants of the Georgian Governor or the 'ordinances' of the Charleston Convention. The President has dissipated the idea that the States which elected him constitute one people. We had thought that the Federation was of the nature of a nationality; we find it is nothing more than a partnership. If any State may, on grounds satisfactory to a local convention, dissolve the union between itself and its fellows; if discontent with the election of a President, or the passing of an obnoxious law by another State, or, it may be, a restrictive tariff gives a State the 'right of revolution,' and permits it to withdraw itself from the community, then the position of the American people, with respect to foreign Powers is completely altered. It is strange that a race whose patriotic captiousness, when in the society of Europeans, is so remarkable, should be so ready to divide and to give up the ties of fellow-citizenship for a cause which strangers are unable to appreciate. Still stranger is it that a chief magistrate, who would have plunged the world in civil war rather than a suspicious craft should be boarded by English officers, after it had displayed the Stars and Stripes, or would have done battle against despots for any naturalized refugee from Continental Europe, should, without scruple and against the advice of his own Secretary of State, declare the Federal Union dissolved whenever a refractory State chooses to secede.—*January 9th.*

"The Declaration of the immediate causes which induce and justify the separation of South Carolina

from the Federal Union, is by The London Times. no means so lively and spirit-stirring a composition as a little more literary skill might, perhaps, have made it. Of course it would not be in human nature—that is, American human nature—to commence any great public document without a proper fling at the old mother country, from whose tyranny the States emancipated themselves, in order to enjoy, from their mutual justice and forbearance, that perpetual concord and never-ending union and happiness which they sought for in vain from a society corrupted by the vices of monarchy, aristocracy and feudality, and a decrepit civilization. At this time were established, we are told, the right of a State to govern itself, and the right of the people to abolish a Government when it ceases to accomplish the ends for which it was instituted. We know not what histories are allowed to pass through the charmed circle which girdles the domestic institutions of South Carolina, or how much a man is allowed to know of the history of the world, in those fortunate regions, without being constituted thereby an Abolitionist, exposed to the halter and the tar barrel. But we should have thought that the right of a nation to govern itself was fully established by the English Revolution, and the right of a people to get rid of a Government which did not accomplish the ends of its institution, by the revolt of the United Netherlands and Spain.—*January 19th.*

"If every State is to claim to be the judge of its own grievances, if it is to act without concert and without appeal, and if, whenever it believes that Government does not do all that is required of it, or that its allies fall short of their obligations, it is at liberty to break up the Union, how is it possible that the Union can be otherwise than transitory? It is quite true, as South Carolina says, that fourteen States of the Union have, in violation of one article of the Constitution, passed laws, the legality of which is something more than doubtful, to prevent the recovery, by their masters, of fugitive slaves. But this could scarcely be regarded of itself as a sufficient ground for the dissolution of the Government of the United States, and that it is not sufficient, is shown by the conduct of South Carolina herself, which has not thought it a sufficient ground heretofore for secession from the Union. With this single exception, nothing can be conceived more frivolous than the grounds of this manifesto."—*January 19th.*

"On his (Lincoln's) accession, says the manifesto, it has been announced that the South shall be excluded from the common Territory, that the judicial tribunal shall be made sectional, and that war shall be made against Slavery until it ceases from the United States. It is impossible to read the speeches

and writings which circulate in the North, where the freedom of discussion still exists, which the South has exchanged for its favorite 'domestic institution,' without being aware of the utter falsehood of these statements. The South is not to be excluded from the Territories, unless the Southrons consider themselves in the light, not of slaveholders, but of slaves. It is not sought to render the Supreme Court of the United States sectional, but to rescue it from the disgrace of being packed with judges placed there for the advocacy and promotion of Slavery, and we have not been able to discover a vestige even in the most excited speeches in an excited time of any intention, expressed or insinuated, to make war on the institution of Slavery.

"But what matters all this? Not a single observation that we have ventured to make could be made in the Republic of South Carolina, thus auspiciously taking her place among the nations of the world. Without law, without justice, without delay, she is treading in the path that leads to the downfall of nations and the misery of families. The hollowness of her cause is seen beneath all the pomp of her labored denunciation, and surely to her, if to any community of modern days, may be applied the words of the Hebrew Prophet, 'a wonderful and horrible thing is committed in the land. The Prophets prophesy falsely, and my people love to have it so.'"—*Jan. 19th.*

We may say here, *en passant*, that the *Times*, if it afterwards treated the movement in the Free States captiously—if its scarcely concealed desire for a breaking up of this Government, led it a course of seemingly studied fault-finding, it did not much "aid and comfort" to the movement for a Slave Confederation, except its general depreciation of the North, and a denial of its belligerent rights can be so construed.

"The State of South Carolina has ignored its connection with the American Union. It has

The Galway (Ireland) Vindicator.

deliberately divorced itself from those federative ties which bound together a great nation. Two consequences must follow—either they will return to their proper position by some agreement or concession on both sides, or a civil war must follow in order to compel them. The Carolinians assert their right to this extreme step by laying before the country the fact that the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Ohio, Michigan, Wisconsin, and Iowa, have enacted laws for the non-delivery up of escaped slaves, and thus have violated their constitutional obligations.

"Viewing the question in the light they do, it is

set down as a violation of the laws of property!—property in man, in woman, and in children!—property in men-stealers and in bloodhounds, which are the ferocious police to hunt escaping victims! They also deny the right of opinion, in morals or in practice, of the Northern States to encourage slaves to escape from chains and bondage! Why, this is an attempt to uproot the first principles of humanity, and to put the rights of flesh and blood, and Christianity, under the feet of a Cottonocracy more vile than the refined vultures of the French Revolution, who stirred up at last the stagnant puddle in the veins of the victims of the Court and aristocracy of that period.

“The policy of the slaveowners is to compel the opponents of that fearful creed to a cooperation with them, in making all America an immense field for Slavery!—or else—— This is a wild and preposterous fancy, and the attempt to enforce it by separation will only lead to results most disastrous to the States who shall proceed to that extremity. Under the present Anti-Slavery President, it could only end in compulsion, and perhaps the sweeping away of the whole infernal system from the country, which has brought on it the scorn and derision of mankind. The entire public opinion of Europe is against American Slavery. It was whispered that England, for her own cupidity, might be inclined to favor the Cotton States, and that she was sounded on that head. But England, with all her faults, would be incapable of such a diabolical connection. The people of England detest Slavery; and the Parliament of England showed the *animus* of the country in the case of the West Indies.”—*January 16th.*

The London Daily News.

“Up to the present time the Federal Government, though it has been called upon to de-

clare its right to stop secession, has never acted upon the declaration. The question now is, whether it will act upon it at the present crisis, or whether the predictions of M. de Tocqueville, in his admirable work, will be realized. ‘It appears to me,’ he says, ‘unquestionable that if any portion of the United States seriously desired to separate itself from the other States, they would not be able—nor, indeed, would they attempt—to prevent it; and that the present Union will only last as long as the States which compose it choose to continue members of the Confederation. If this point be admitted, the question becomes less difficult, and our object is not to inquire whether the States of the existing Union are capable of separating, but whether they will choose to remain united.’ It must not be imagined that this opinion of M. de Tocqueville implies any doubt as to the right of the Federal Government to interfere, by force of arms, in order

to retain any of the States within the Union. The slightest consideration will show that the assertion of independence on the part of any one State can never be conceded; indeed, any such step must amount to revolution. But, admitting this, it may very well be that the non-Seceding States consider it more judicious to forego their strict rights, and so, practically, to acquiesce in the fact of Secession.”—*January 10th.*

“Apart from this perplexing question, we see no reason for anticipating that a severance

The London Economist.

of the Union, once effected peaceably, and without catastrophe, will be, in any way, injurious to Great Britain. On the contrary, we are not sure that it may not indirectly be rather beneficial than otherwise. In the first place, we may expect that America will be somewhat less aggressive, less insolent, and less irritable than she has been. Instead of one vast State, acting on every foreign question *cum toto corpore regni*, we shall have two, with different objects and interests, and by no means always disposed to act in concert, or in cordiality. Instead of one, showing an encroaching and somewhat bullying front to the rest of the world, we shall have two, showing something of the same front to each other. Each will be more occupied with its immediate neighbor, and therefore less inclined to pick quarrels with more distant nations. Then, too, for some time at least, that inordinate, though most natural sense of unrivalled prosperity and power, which swelled so flatulently and disturbingly in the breast of every citizen of the great trans-Atlantic Republic, will receive a salutary check. Their demeanor is likely to become somewhat humbler and more rational, and it will, therefore, be easier to maintain amicable and *tranquil* relations with them than it has been. In place, too, of Europe being obliged to watch and thwart their annexing tendencies, the two Federations will probably exercise this sort of moral police over each other. Neither of them will look with much complacency on the annexation of States or Territories which will add power and dominion to the other, and so disturb their relative equilibrium. Unprincipled and reckless Southerners, like Mr. Buchanan, may talk of seizing on Mexico, Nicaragua, and Cuba; unprincipled and inflated Northerners, like Mr. Seward, may talk of seizing on Canada; but there will be some hope that we may leave them to each other's mutual control, and smile at the villainous cupidities of both. With the Northern Federation, too, we may look to maintaining more cordial relations than we have often heretofore been able to do; not only will the embarrassing question of Slavery, which has caused so much righteous indignation on our side, and so much bitter

resentment and irritation on theirs, be forever removed from between us; but the immediate and marked improvement which we may look for in the tone and working, if not in the form of the institutions, of the North, when Southern Democracy, complicated as it has been with Slavery, shall have ceased to poison and degrade them, can scarcely fail to bring them more into harmony with English feeling, because to command more of English confidence and respect. The more they *civilize* (they must pardon us the word, for assuredly they are getting rid of a barbarising element), the more friendly and cordial shall we inevitably grow."

The Emperor Napoleon's Words.

At the usual New-Year's-day reception of the Emperor Napoleon, our minister,

Mr. Faulkener, was interrogated by the Emperor. The conversation was thus reported :

Emperor.—"What is the latest news you have from the United States. Not so alarming, I trust, as the papers represent it?"

Mr. Faulkener.—"Like most nations, Sire, we have our troubles, which have lost none of their coloring as described in the European press."

Emperor.—"I hope it is not true that any of the

States have separated from the General Government."

Mr. Faulkener.—"The States will form one common Government, as heretofore. There is excitement in portions of the Confederacy, and there are indications of extreme measures being adopted by one or two of the States. But we are familiar with the excitement, as we are with the vigor which belong to the institutions of a free people. We have already more than once passed through commotions which would have shattered into fragments any other Government on earth, and this fact justifies the inference that the strength of the Union will now be found equal to the strain upon it."

Emperor.—"I sincerely hope it may be so; and that you may long continue a united and prosperous people."

This important declaration was here construed to mean sympathy for the Government, to which French interests are so closely allied. The United States are the counterpoise, in the balance of nations, to England, and the French are not solicitous that that counterpoise should be broken. Napoleon's words were wise while they were kind.

CHAPTER XV.

PROCEEDINGS OF CONGRESS. SEVENTH WEEK. "REPRESENTATIVE" SPEECHES OF MESSRS. POLK, M'CLERNAND, REAGAN, STANTON, COX, GURLEY, SHERMAN, AND OTHERS. THE OHIO STATE RESOLUTIONS. THE ARMY BILL. MISSOURI'S RESOLUTION. COMPROMISE IMPOSSIBLE.

In the Senate, Monday, January 14th, Mr. Bigler (Dem.) of Pennsylvania, introduced resolutions calling upon the people of the United States to hold an election throughout the country, on February 12th, and vote for the acceptance and rejection of amendments to the Constitution, said amendments proposing to divide all present and future Territory between Freedom and Slavery by a line on the parallel of 36 deg. 30 min.; to permit Slavery to extend South of that line, and to protect it there by constitutional sanctions. The resolutions also proposed to deprive Congress of the power to abolish

Slavery, in places under its exclusive jurisdiction, and to make the United States pay for fugitive slaves. These clauses he proposed to make perpetual, never to be amended or stricken out. They embodied the substance of the Crittenden resolutions, but added the amendments proposed to be engrafted perpetually on the Constitution. After some remarks upon its reference to a committee, against which Mr. Bigler protested, the matter was laid over.

Mr. Grimes, of Iowa, introduced a resolution requesting the President to communicate any information he may have regarding attempts made, or contemplated, by any large

body of men to interfere with the free navigation of the Mississippi, and what efforts have been made to suppress the same. This resolution referred to the erection of a battery on the banks of the Mississippi River, at Vicksburg, by order of the authorities of Mississippi, which proposed to call every boat passing down the river to "land and give an account of herself"—amounting to a virtual blockading of the river. The resolution was laid over.

Mr. Brown, of Mississippi, speaking for himself and his colleague, Mr. Davis, announced their withdrawal from the Senate, in view of the late action of their State.

Mr. Mason, of Va., tried to bring forward his resolutions of inquiry, calling upon the Secretary of War to communicate information of reinforcements sent to Charleston harbor and other defences. The Crittenden resolutions were then called, and were finally set for consideration on Tuesday.

Mr. Polk, (Dem.) of Mo., addressed the Senate, basing his remarks on Mr. Hunter's resolution to withdraw all Federal forces from Seceded States. His sentiments were of the usual extreme Southern tone. The un-

terable crime of an Anti-

Mr. Polk's Views. Slavery triumph had been achieved. The canvas is now over, and Abolitionism has brought, as its first offering, astonishment and regret. From a state of peace the sudden change to a state of sectional antagonism had almost immediately followed. An unnatural animosity exists between sections only separated by a geographical line, and a universal panic prevails throughout the country. The public and private credit are prostrate. Of the Government loan of five millions, only half was taken, and that at usurious rates of interest. Commerce is curtailed, trade is checked, industry is paralyzed, artisans and mechanics are idle, manufactures are stopped, and the operatives discharged. The consequence is want and starvation. The Union is tottering and ready to fall. Four pillars have already gone, one being of the original thirteen. The admission of California disturbed the equilibrium between the Slaveholding and Non-Slaveholding States. One cause of complaint against the action of certain States and their

people—these States being parties to the Union—was that they added to the insult of the passage of Personal Liberty bills, Underground Railroad operations, not only in the Border States, but the entire South. He knew gentlemen having lost thousands of dollars worth of negroes who fear to attempt to recover them. Kentucky loses \$200,000 annually in slaves stolen and enticed away. Mr. Lincoln is the first man elected to the office of President who announced the doctrine of the irrepressible conflict. This house, built by our forefathers, now becomes a house divided against itself. These remarks scarcely attracted notice. The palpable misstatements in regard to Kentucky's loss, and the usual exaggeration regarding Northern sentiment, elicited no catechising from the Republicans.

In the House, Monday, Mr. English (Dem.) of Indiana, introduced, or rather "read for information," the following resolution:

"Resolved, That the present alarming condition of the coun- The 'English' Resolve. try imperatively demands that Congress should take immediate steps to preserve the peace and maintain the Union, by removing, as far as possible, all causes of sectional irritation and division, and, to that end, patriotism should prompt a cheerful surrender of all partizan prejudices and minor differences of opinion; and this House, believing the plan of adjustment proposed by the Honorable John J. Crittenden, in the Senate, December 18th, 1860, would be an equitable and favorable compromise, involving no sacrifice to any party or section which should not promptly be made for the sake of the inestimable blessings of peace and a united country, hereby instruct the Committee of Thirty-three, heretofore appointed by this House, to report without delay the necessary measures to carry that plan into practical effect."

It being objected to by the Republicans, Mr. English said, at the proper time he should move to suspend the rules. He tried to get it before the House a few hours later, by a motion for the previous question, but the House decided against it. It was killed.

Mr. Maynard, of Tennessee, introduced and had adopted, a resolution instructing a select Committee on the President's Special Message, to consider that portion which recommended to a vote of the people the questions at issue between the two sections, and that the Committee, at an early day, report thereon a bill or joint resolution.

Holman's Resolutions.

Mr. Holman, (Democrat), of Indiana, offered resolves declaring that the right of

a State to withdraw from its Federal relations is not countenanced by the House, nor sanctioned by the Constitution; but, on the contrary, is wholly inconsistent with that instrument; that neither Congress nor the President is invested with authority to recognize any State once admitted, in any relation except as a State of the Union; that power to protect the public property should be exercised, and that the Committee on Judiciary inquire and report whether laws are now sufficient for the purpose, and, if not, that it report a bill, giving additional powers, by the employment of the Navy, or otherwise. These stirring resolves provoked debate, and had, therefore, to lie over. They were indicative of a purpose, on the part of the Northern Democrats, to sustain the Union and the laws to the end, by the employment of the entire powers of the Executive and of Congress.

Another significant step was a motion, by Mr. Stanton, (Rep.,) of Ohio, to make the special order for Tuesday the bill for organizing and disciplining the militia of the District of Columbia. Objected to by the Southern side, and lost by one majority on a motion to suspend the rules. The Army appropriation bill then came up for consideration in Committee of the Whole on the State of the Union. Speeches were made by McClelland, (Dem.,) of Illinois, and Cox, (Dem.,) of Ohio, both looking to a vigorous policy to sustain the Union. Mr. McClelland assumed that when danger could not be averted it was then the point of wisdom to meet it—to endeavor to overthrow it. In this spirit he proposed to

McClelland's Speech.

deal with the question of Secession now upon us.

He denied the right of any State to secede from the Union, and deprecated the consequences of any such assumed right, as a measure of revolution which must necessarily, in the present case, embroil the country in a sanguinary and wasteful war. In his legal argument he said the idea of nationality is as old as the Revolution itself, that that war was a *national* measure. The treaty of 1783 was made as a *nation* which Great Bri-

tain recognized. He referred to the decisions of the Supreme Court in support of this view, saying, the *unity* of the American people pervaded the Convention which framed the Constitution. Any mode of withdrawing from the Union, excepting by a Convention, would be revolutionary. The Government being sovereign, its first duty is to preserve itself; and, being sovereign, where is the power to dissolve it? He argued, it would be unjust, unsafe and inexpedient for some States to secede from the others, for with the possession of the Southern forts and the aid of foreign powers, they would be capable of inflicting great wrongs upon the commerce of the adhering State. He spoke of the Mississippi valley as a geographical unity, which the people of the great North-west could not consent to share with a foreign power. He had heard much about coercion. But was it coercion for us to do what we have sworn to do; namely, uphold the Constitution and the laws, and stay the lawless, violent hand that would tear down the Government? Were we to be required to submit to State spoliation? No? Such submission would be disgraceful, utter imbecility. But if we must submit let it be proclaimed that our system of Government is a splendid failure. In the course of his remarks he earnestly appealed to the Northern States to remove the grievances which are complained of. He believed the Northern States would all do so when the sober second thought of the citizens had time to act. When the anti-Slavery agitation commenced in the North, he could not say that the South were blameless. The Garrisons and the Philipps find their counterpart in the Rhetts and Yanceys. Such men, in fact, formed the two great sectional parties. In conclusion he appealed to all Conservative men to rally in favor of the integrity of the Constitution, merge the partisan in the patriot, and make a generous sacrifice on the altar of their country, for the general welfare and happiness of all.

A dispatch from Washington to the Associated Press said, in regard to this speech: "The speech of Mr. McClelland, of Illinois, in its geographical, commercial and national significance, is producing quite a sensation here. It is rallying the Union feeling." Mr. Corwin, from the Committee of Thirty-three

reported. The report was made the Special Order for Monday, January 21st.

In the House, Tuesday, Mr. Reagan, (Democrat) of Texas, having the floor, proceeded to define his views. The speech gave rise to a spirited debate, in which Mr. Stanton, of Ohio, showed an unflinching determination not to be rode down, nor to suffer gross libels on the North to pass uncontradicted. Mr. Reagan said he came to the capital with

the hope that such meas-

Reagan's Assault.

ures might be brought forward by those who have

the power to control the question, as would assure the South of future security. The Republicans have held sullenly back, and declared that they have no terms of peace to offer. In view of such facts four States have already gone out of the Union, and others are rapidly seceding. Unless, by the 4th of March, something is done to arrest this movement, we will see but few Southern States in the Union. The irrepressible conflict had culminated too soon for its authors—behold the result! They mean to effect the humiliation and desolation of the South, or a dissolution of the Union. They have reached that logical end. He proceeded to show that the condition of the Negroes, in no portion of the world, could compare favorably in blessings with those of our own country. Would the North, if they were freed, accept them as freemen? No. You would fight the South with all your energy and power against such an influx, and yet you demand the South to liberate 4,000,000 of slaves, and break up the social order, and commercial and political prospects, and retain the Negro element among us. You never consider the relative position of the two races, and what is to be the end of your conduct. He spoke of the destruction of manufactures and commerce which would be produced by the abolition of Slavery. The cry of treason had been raised against certain States, and the blockade of their ports threatened; but if this be attempted those concerned will, like a famous general, find a fire in front as well as in the rear. He knew no Southern State that asked more than its constitutional rights, and, so far as Texas is concerned, she is unalterably determined never to submit to less;

and, if she cannot get her rights in, she will have them out of the Union. The Northern States have done nothing to show the Southern States that they shall have security in the Union, because to give Southerners their Constitutional rights would be to disband the Republican party; but, by the violation of the Constitution they are enabled to make war on the South. In reviewing parts of Mr. McClernand's speech Mr. Reagan said: One accepts independence, with all its consequences, rather than base submission and eternal ruin.

Mr. McClernard remarked that his position was that of a Unionist, opposing both extremes in North and South.

Mr. Reagan replied, that he knew the position of the Illinois member, individually, but asked him to consider what it was which had brought the South to its present condition. If their rights had not been denied, no disunion would have been raised. He referred to the history of Texas, and the means by which she won her independence, and spoke of the recent alleged insurrections in that State. He charged that the Methodists were all emissaries of the spirit of incendiarism—that it was their ministers, their members, who had sought to light the fires of insurrection in that State.

This charge called up Mr. Stanton. He pronounced the imputations of the Texas member to be an unwarrantable libel on the Methodists. They were not incendiaries, not fanatics, not inciters to crime and debauchery. As a society they doubtless did regard African Slavery as unwise, unchristian, and immoral, and it was probable that wherever the members of it might go, they would carry that opinion with them. He added:—

“The speech of the gentleman from Texas is rather extraordinary in this, that when he seeks, as he says, some measure of conciliation from this side of the House that shall avoid civil war and disunion, he at the same time announces to the political organization which elected the President, that this Union cannot be preserved except by its absolute disorganization and destruction. Now as a mere political organization, he cared nothing for any party. They are all secondary and subordinate considerations with me. But the principles on which this Government was founded, by whatever party they

Stanton's Reply.

may be advocated now, cannot be surrendered under any threat of civil war or apprehension of secession. This may as well be clearly understood first as last. And, if the principles of the Republican party cannot be vindicated as historical, and as consecrated by all the fathers of the Republic as being in acquiescence with the history of the country for fifty years, I am prepared to abandon it, and surrender the organization to-day. I stand pledged to maintain here, by the authority of the fathers and the principles of the Constitution, that the Republican party claims and maintains no principle, proposes to carry out no doctrines and no policy, that has not the sanction of the Constitution. Occupying that ground, and maintaining these principles, gentlemen cannot drive us from it by an apprehension of consequences, from whatever quarter they may come. He was utterly astounded that the gentleman from Texas should assume here, as a conceded proposition, that the Republican party was organized on the idea of the ultimate and utter extinction of Slavery in the States. Now, if that gentleman would undertake to circulate my reply among the people of his district in Texas, at the rate of one for every two which I am willing to circulate of his among my people, he would much enlighten his constituents on the true principles of the Republican party, and disabuse their minds of their misconceptions."

The Texas member here interposed, saying that he did not consider Mr. Stanton an exponent of the Republican party. This did not serve any purpose but to call up a "live Republican," in the person of Marston, of N. H., who repeated Mr. Stanton's asseveration, and assumed the declaration to be those of the party. He added:—"I know of no Republican who looks upon the Republican organization as one designed, directly or indirectly, now or in the future, present or remote, to interfere with Slavery in the States." To this Mr. R. replied, that Mr. Seward had averred that the "irrepressible conflict" would be the overthrow of Slavery. Mr. Stanton retorted that many men had entertained various philosophical opinions regarding the ultimate issues of the present social status of the two systems of labor, but, the opinions were those of individuals only. The speaker then resumed his argument:

Stanton's Reply. "I desire to lay down, in a few words, what I regard as the great leading and distinguishing feature of the two political parties of the country. The Republican party holds that African

Slavery is a local institution, depending upon local statute laws—that it cannot exist beyond the limit of the State by virtue of whose laws it is established. The Democratic party holds that African Slavery is a national institution, established and maintained by National Constitution, existing everywhere where it is not prohibited by statute local law. Now, whoever maintains that Slavery is a local statute law is, whether he knows it or not, a Republican, and if not in the party, he ought at once to join it; and every man who holds that Slavery is a national institution, existing everywhere by the force of the Constitution where not prohibited by local law, is a Democrat, and if not already, should, as early as possible, join that party.

"Now, all questions about which we differ, arise from and grow out of that necessary and natural cardinal difference. You say that the nationality of Slavery is established and maintained by those provisions in the Constitution which authorizes the recapture of fugitive slaves in the Free States. Judge Taney is the organ of the Democratic party on this position. That position we deny, and base our denial upon the declaration of the framers of the Constitution and the Convention which framed it. On several occasions, when the proposition was made for a clause to authorize masters to pursue fugitive *slaves* and recapture them, objection was made, not because the thing was not proper in itself, but because the phraseology threw out the idea that Slavery was *recognized*. A change was made in the terms—that *Persons* owing service or labor in one State, by the law thereof, escaping into another, shall not, by reason of the law in that State, be excused from such service, but shall be delivered up to whom such service is due. Again, the language of the provisions of the Constitution itself designates a *Person* escaping from service or labor; and every man, who ever read the law books, must know that the difference between a *Person* and a *thing* is here recognized. Chattels are things, and persons are creations of God, having rational accountability, and are immortal beings, and therefore the Constitution treats them *as persons*. Again, what do you want with the Fugitive Slave law? Why have you not constitutional provisions for recapturing horses and cows? Simply because the Constitution recognizes property in every thing property by common law, and therefore the Courts in every State are bound to recognize the constitutional title of any party who follows property and claims through the law of the State to which he goes, and where his property is found.

"What do you want with constitutional provisions for the recapture of fugitive slaves? You want it because it is *not* part of the Constitution. You can-

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not capture your slaves without *special provisions*, recognized by the States surrendering the person

escaped. Under this same provision of the Constitution you follow from one State to another indented apprentices who escape from their masters, to whom they are bound for a term of years; you follow a child who is supposed by law to owe you service, and you may follow a wife, who, according to the same legal fiction, owes you service, and reclaim them under the same provision. Will you claim that children and wives are *property* within the meaning of the provisions of the Constitution? Yet they are covered by this same provision. The doctrine I put forth here is sustained by all the eminent statesmen of the country that have given an opinion upon this question, from the organization of the Government, that Slavery is a local institution, depending upon local State laws, and has no existence outside the State within which it exists. * * * *

The Constitution of the United States is the law of the land, and all State Constitutions and State laws coming in conflict with it are null and void. I desire to know upon what principle we can exclude Slavery from the Free States, or prevent any man coming in with slaves and making a Free State his domicile? Indeed, if Slavery existed by virtue of the Constitution we could not prevent him. I cannot prevent a man from Kentucky going with his Bourbon whiskey or his Durham cow across to Ohio and settling there, because it was his constitutional right to do so, and Ohio could not invade that right; and if slaves be property in the same sense, as you contend, how can we prevent you from coming to Ohio and domiciling and holding your slaves as property there? Gentlemen claim that this is the Constitution, and that if it is not it ought to be so."

This severe and forcible application of principle to practice created some stir on the Southern side of the House. It was by far the most searching because the most practical *expose* of the assumptions of right in slaves as property under the Constitution. The speaker was interrupted by Mr. Crawford, of Geo., and Reagan, of Texas, but he fastened upon them the logical deductions of their claims of property—that of taking and *holding* it in Free as well as in Slave States or Territories. The argument on this point is so clear and strong that we quote it:—

"When you go into a Free State not regulated by the laws of the State where you come from—for they deny the right of a master to exercise control over the slave—you claim to carry with you into a Free State the right to exercise dominion

and control over the slave while there. Now, if a gentleman go into a Free State with

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his slaves, and the slaves become rebellious, has he not a right, according to his constitutional claim, to subdue that rebellious disposition, and to reduce them to obedience, and to inflict reasonable correction? Is not that so? Very well; by what light is that law to be regarded but by the law of the State from whence he came? Now, suppose a man brings a slave into a Free State, and a controversy arises between them, the slave refusing obedience to the master, the latter undertakes to inflict chastisement upon him, and he is resisted. In that case the slave may be killed, and the master is forthwith indicted for murder. On trial it is claimed that the master was exercising his constitutional right in inflicting reasonable chastisement, and the Courts of the Free States must recognize the law of the Slave States in defining and punishing the crime. Again, if you take slaves into a Free State, I claim you take them there *con amore*, and the slave ceases to be part of your property. Now, a Southern planter, having purchased goods in New York, goes there and takes his slave with him. The master gets into debt to the merchant, who files his affidavits, and has a writ issued, and gets an attachment, and arrests the slave, being property, and subjects him to sale for the satisfaction of the master's debt. Again, suppose a slaveowner goes into a Free State and contracts debts, and dies there before they are paid, and leaves three or four slaves behind him. His creditors take out the letters of administration, and can seize upon the slaves as property, and can sell them in satisfaction of the debt. Now when you have established this state of things, I want you to know how much you will fall short of making this one grand consolidated Slaveholding Confederacy? There is an essential difference between the two organizations indeed, because one claims all these rights for the slaveholders, and the others resist them as unconstitutional. And yet we are told by the gentlemen from Texas that unless the Republican organization disbands itself, and recognizes these constitutional demands, civil war must come, and the Government must be overthrown."

Stanton's closing remarks succeeded in setting the Georgia members at loggerheads in the matter of the forts' seizure. Crawford said the seizure was justifiable, and Georgia held herself responsible for the act. Hill, (of Geo.) said the State had not seized any portion of the public property. It was a mob which had committed the act. He disclaimed, for Georgia and its State Government, any responsibility for the act. Mr. Crawford

insinuated that Mr. Hill did not know what he was talking about. Mr. Love, (of Geo.) said both gentlemen were wrong, as the forts were seized for self defence. If the State did not secede they would be returned. Mr. Hardeman, (of Geo.) said the country was in the crisis of a revolution—that, in fact, a revolution was going on. In view of the fact the *Executive* of the State had seized the forts in advance, and the *people* would sustain him in the act.

Stanton adverted to the seizure as a wanton act of war—that it inaugurated war, and Georgia must assume the responsibility. He declared his willingness and wish yet to adjust matters. He thought the *people* of the South loyal, but that they were laboring under the most shameful misapprehensions regarding the dominant party and its policy. Garrison and other men like him are now gloating over the ruin they have contributed so largely to bring about. With such men are united, hand in hand, the men in Charleston, who are seeking to overthrow the Government and to drench the country in blood. Gentlemen from the revolutionary districts must be perfectly aware that the Federal Government *cannot* surrender its power to a rebellious demand. The thing is utterly impossible. If it did it would be an act of imbecility, and an utter abandonment of all Government, and an abdication of its executive power. Gentlemen must see that that mode of separation can lead to nothing but civil war and bloodshed. If they are determined to do this, and resist by force of arms, and refuse time for consulting the popular will—the only source of true power—as to what shall be done in this emergency, they must take the consequences on their own heads.

Mr. Stanton's words called up Rust, of Arkansas; Adrian, of New Jersey; Anderson, of Missouri, and Garnett, of Virginia. The latter gentleman had the floor upon adjournment.

In the Senate, Tuesday, Mr. Crittenden's resolutions being the Special Order were under consideration, when Clark, of New Hampshire, moved an amendment by offering, as a substitute, his resolutions [see p. 184.] Mr. Green, of Missouri, expressed ultra pro-

secession sentiments, if there was not a radical change in Northern public opinion. He consumed the time up to the hour allotted for the consideration of the Pacific Railway bill, when the question passed over. Mr. Crittenden persisted in pressing the subject of the paramount importance of the State of the Union, but the Pacific Railway bill kept the floor up to adjournment.

In the Senate, Wednesday (January 16th), the Vice-President presented a message from the President, announcing the Senate resolution, relating to his appointment of Joseph Holt, to perform the duties of the office of Secretary of War, made vacant by the resignation of Secretary Floyd. He fully set forth the legal reasons for the step.

Mr. Rice, (Democrat), Minnesota, offered a resolution for the appointment of a Special Committee of Seven by the Senate, with instructions to inquire into the expediency of the passage of a general act for the admission of New States, and the readjustment of the limits of California, Minnesota and Oregon.

"*First:* New Mexico shall be bounded on the North by the 37th degree of latitude; East by Texas; South by Texas and the Mexican boundary; and West, by the 114th degree of longitude.

Bill for Admitting
New States

"*Second:* Kansas, including the present Territories of Kansas, East of longitude 140; a small portion of New Mexico, North of latitude 37, and that portion of Nebraska which lies South of latitude 43.

"*Third:* An enlargement of the jurisdiction of Minnesota, to embrace the proposed Territory of Dakota, and the portion of Nebraska lying North of latitude 43.

"*Fourth:* An enlargement of the jurisdiction of Oregon, so as to merge and include the Territory of Washington.

"*Fifth:* A readjustment of the State of California, so as to include that portion of Utah and New Mexico, lying West of longitude 114."

Mr. Bigler then called up the Crittenden resolutions, by a motion to set aside all other business, which prevailed, by a vote of 27 to 20. The speeches of the day were by the Members from Rhode Island, Messrs. Simmons and Anthony, both of whom expressed, in the strongest terms, the necessity for sustaining the Union and the Constitution, at all hazards. Both approved of Mr. Clarke's amendment; viz., that the Constitution was

good enough, only wanted to be obeyed,* &c. A vote being obtained on Mr. Clark's substitute, it was adopted by 25 to 23—Messrs. Benjamin, Slidell and Wigfall not voting. Mr. Douglas afterwards recorded his vote against the substitute. The subject was then laid on the table, but, on a motion by Mr. Cameron, (of Pennsylvania), was resuscitated by a motion for reconsideration.

The Ohio State
Resolutions.

In the House, Wednesday, Mr. Cox, (Dem.) of Ohio, presented the resolutions passed by the Legislature of Ohio, expressive of attachment to the Union, against secession, and declaring that the laws should be maintained against one State intermeddling with the affairs of another, &c. He said Ohio did not unanimously pass these resolutions, but has already begun the work of conciliation, giving a vital stab to the Personal Liberty bill; and he had been assured that the work will go on till every obnoxious act of legislation shall be removed from the statute book. Full justice will be done to all sections. He said that they held up the hands of the Administration in enforcing the laws and maintaining the Union, and that they were the sentiments of the people of Ohio. A member from Mississippi wishing to know the substance of the resolutions,† Mr. Cox answered:—

* A reporter present wrote of Mr. Simmons' speech:

"It was a feeling effort, beautiful in many of its parts, and powerful in all. Its eloquent peroration called forth marked and significant applause in the galleries. He enunciated one proposition worthy of a statesman. He declared with great emphasis that he was afraid to compromise, in the face of existing dangers, for fear of demoralizing the Government. No weightier remark has been uttered in the Senate since the opening of the session."

† A synopsis of these resolutions read as follows:

"First, The people of Ohio believe that the preservation of this Government is essential to the peace, prosperity, and safety of the American people.

"Second, The General Government cannot permit the secession of any State without violating the bond and compact of union.

"Third, The power of the National Government must be maintained, and the laws of Congress enforced in the States and Territories, until their re-

"Well, Sir, they indorsed the speech which I was making at the time they were passing the Senate. [Laughter.] Mr. Cox said that he would take the occasion to notice the perversion of his remarks and those of Mr. McClernand by gentlemen from Texas; the latter had predicated his attack on a remark made by a colleague, (Mr. Vallandigham,) as to carving out our way from the West with a sword. Every one knows that my colleague is against coercion; yet, his remarks were a basis of a speech as if he (Cox) had made unreasonable threats. What he said was, that the President was right. He acted on the defensive and against aggression, and he would be sustained. These resolutions sustain him."

Crawford, of Georgia, moved to lay them on the table. Sherman, of Ohio, called for their reading, when they were read. After some inquiries propounded by Southern members, and as frankly answered by Mr. Cox, the resolutions were ordered to be printed.

Mr. Garnett, of Virginia, having the floor, addressed the House. At the opening of the session, he said a committee had been appointed to consider the crisis that was upon the country, but it had been long since apparent that the Committee could do nothing effectual toward the end for which it had been formed. Their deliberations ap-

Garnett's Speech

peal by Congress, or they are adjudged to be unconstitutional by the proper tribunal. All attempts by State authority to nullify the Constitution and laws of Congress, or resist their execution are destructive of the wisest government in the world.

"Fourth, The people of Ohio are opposed to meddling with the internal affairs of other States.

"Fifth, The people of Ohio will fulfill in good faith all their obligations under the Constitution of the United States, according to their spirit.

"Sixth, Certain offensive laws in some of the States are rendered inefficient by the Constitution and laws of the Federal Government which guarantee to the citizens of each State the privileges and immunities of the several States. The several State Governments should repeal these offensive laws, and thus restore confidence between the States.

"Seventh, All Union men condemn the secession ordinances.

"Eighth, The power and resources of Ohio are pledged to the maintenance of the civil authority, Constitution, and laws of the General Government.

"Ninth, Copies of these resolutions shall be furnished to the Senators and Representatives of both Houses of Congress."

Garnett's Speech.

peared as one of the strangest phenomena of these unsettled times. State after State had seceded, and yet nothing was done. Minute-guns continued to proclaim the separation of fresh States. The old ship of State was being broken up into fragments, and yet the representatives of the people stand idly by as spectators, with folded arms and helpless in the emergency. It was, therefore, time that they should seriously address themselves to the dangers which surround the country, and, rising above the horizon of party prejudices, grapple with the responsibilities which, through Providence, had devolved upon them, and which must affect generations yet unborn. It was in such a spirit he addressed them. He proceeded:—

"Those who would trace their difficulties and the cause of their dangers to the 6th of November last, would be shallow thinkers and very superficial observers. That cause was not merely the election of Lincoln and Hamlin. Through the machinations of the Republican party, the interests and rights of one section of the country had been imminently endangered, and that section had been denounced by the other. Between those two sections there were wide differences of feeling and sentiment. They were different in institutions, and in some degree in race, and they were further separated by a geographical line. In times past the Anti-Slavery party had, after many vicissitudes, broken down; but upon its ruins a new party had arisen, which had burst beyond the last line of defence raised against the approaches of the former party. The new organization, under the name of Republicans, had gained a powerful majority of the Electoral votes in every Non-slaveholding State, with the exception of gallant little New Jersey. Since the organization of the Anti-Slavery party, every Presidential election had shown on their part a steady growth, until now they have gained possession of all the Northern States, in every department of the States' Government, and the control of the House of Representatives, beside a probable majority in the Senate. The life and sustaining principle of this organization was to be found embodied in one idea—hatred to Slavery. Their great party leader, Mr. Seward, said that the secret of their success lay in one idea—the equality of all men. Again, Lincoln declared that the limitation of Slavery was their avowed object, and confining it, so that all men might hope for its ultimate extinction. The emphatically declared sentiment of the party was, that Slavery was a social, moral and political evil. This was the doctrine of the men who

must ultimately control the whole of the popular feeling in the North. It was impossible to adopt an opinion of this kind without making up the mind to carry what it professes. In other words, it was impossible for the Southern people to join the Republican party without a great revolution in the policy of that organization; and, therefore, the Republican must be a sectional party. In proof of this it was only necessary to show that no portion of the people in the Southern States could join them without committing themselves to a radical change in their whole social, moral and political system. Therefore, being sectional and the stronger party, they will control the Government, to the detriment of the weaker Southern section. While the stronger would engross to themselves all the emoluments of office, and enjoy the patronage of Government, the South would have to pay the taxes, help to fight the battles and extend the boundaries of the Confederacy. Thus the South would be isolated and left to gradual decay, without hope of redemption. Thus the Federal patronage and power, and all the moral and political influence of the Government would be brought to bear against Southern institutions, to the final overthrow of Slavery. * * * The South could no longer afford to hold their slaves at the mercy of the North, and therefore they were compelled to seek safety and honor out of the Union. If they were to remain in the Union the South must be invested with the power of an absolute veto in every department of the Government. They no longer expected justice from the North. The crisis was now upon them, and each must meet it as best they might.

He then adverted to the position of Virginia—that all her sympathies and interests were with the South.* That she, too, would follow the Seceded States was not a matter of doubt. Coercion, he said, would be the death blow to all hopes of a reconstruction. If a blockade of rebellious ports was attempted, England and France would both resist, as they *must* have cotton. So must New Eng-

* Virginia's almost only product of sale has, for years, been slaves. She raised some tobacco and a little grain for the market; but, the raising of negroes for the Southern market was her chief source of revenue. The *Richmond Inquirer*, in arguing the question of Virginia's interest, said her revenue was four millions per year from the sale of negroes—what commerce with the North could be a substitute for that traffic in "chattels?" The oldest families in the State—the true F.F.V.'s—derived their chief revenue from their annual sales of "black stock," which they bred for the market just as a Kentuckian bred his horses and hogs.

land. As for an invasion of the South, it would be at the cost of rivers of blood. Peaceful separation was asked for, and expected. If it was denied let the responsibility rest where it belonged—upon a persecuting, wicked, and revengeful North.

Mr. Gurley, (Rep.,) of Ohio, replied, showing that the South had, for years, persecuted Northern citizens, and *already* had inaugurated the Civil War—*she*

Gurley's Reply. was at once the aggressor and the enemy of all peace.

He adverted to the seizure of forts, arsenals, and public property in the South—the menacing attitude of the Seceding States, and, last in the record of outrages, to the firing upon a United States vessel—an act which, if committed by any power on the earth, would have been considered, in itself, a declaration of war. What a record to come before the world with and plead immunity from “persecution!” What a stultification of moral sensibilities did it argue, when the assassins could come forward and prate of peace—could charge the North with having inaugurated the war! For years the South had insulted the North, and had treated its citizens as a conquered and inferior people. Merchants of Cincinnati have been ordered home from Louisiana for no other reason than upholding a Presidential candidate of their own choice. We should stop this work of traitors, and vindicate the laws, which must prevail, and the Government must put down traitors by its strong arm. Forbearance has ceased to be a virtue. He characterized the Southern movement as cold-blooded rebellion. There was no cause for rebellion in a Government where people make and control it. Rebellion is a leap in the dark; a high crime; wild anarchy; and, if successful, must end in civil war, and consequent desolation. He suggested to the Secessionists, would it be an act of prudence for them to stand against the ten millions of freemen of the West, who would be united as a man if attempts were made to interrupt the navigation of the Mississippi. The now peaceful foundations of New Orleans would become the bed of a lake where fishes would live instead of men. Should the Union be broken up there would be war, and the test will be as to who is the

strongest. Did Southern gentlemen expect that the people of the North-west would fold their hands with indifference and see their steamboats fired into and their merchants driven home? How long was the North-west to continue peaceful under this state of things? If a bill should be passed giving the President authority to sustain the National Government, you could have a hundred thousand men from the West. Then let the worst come! The people of Ohio have, through their Legislature, recently, unanimously passed resolutions in favor of maintaining the Government. [See page 233.]

There was no mistaking the tone and spirit of this speech. It was threatening, but not defiant—it breathed the spirit of the great North-west. Southern members felt more really disconcerted at its delivery, than at any speech yet pronounced on the Republican side. The South had courted force—this was the reply that ten millions in the Free States, west of the Alleghanies, had to make.

Mr. Gurley was followed by two Democrats, Messrs. Holman's and Morris' Speeches. Holman, of Ind., and Morris, of Ill., both of whom were firm in their stand against the revolution. Mr. Holman said no person would question the right of revolution for intolerable oppressions, but those did not exist. Therefore, if the Government was overturned, it would be without justification or excuse. The people whom he represented would not consent that the Union should be destroyed. They would rally around it. He could not, however, despair of the Republic, and trusted that it would continue to endure.

Mr. Morris pronounced the Secession movement to be treason against the Constitution, and declared, in strong language, that the sooner resistance was offered to disunion, the better for the country. Every true patriot demands it. He then, in very severe terms, arraigned the President, charging upon him the authorship of the calamities which threatened to overwhelm the country. The last, last scene in the Lecompton drama has been played out, producing on one hand the overthrow of the Democratic party, and on the other the destruction of the Government. Who would have supposed that Mr. Buchanan,

on his return from abroad, would have become the instrument of the nation's ruin. Nero fiddled while Rome was burning, and Mr. Buchanan, while the whole Republic is falling into ruin, complacently comes forward and says he is not responsible for it. But he (Mr. Morris) said with the whole country, as Nathan said to David, "Thou art the man." The blackness of darkness will overshadow Mr. Buchanan's memory. If there were needed any other inscription on his tomb it should be, "God have mercy on him." [A voice from the Republican side—"Amen!"] He referred to his former remarks, to show that his predictions have been realized respecting the breaking down of the Democratic party by an odious Administration. The President had descended from his high position to maliciously operate against Mr. Douglas. It had been said by outsiders that Buchanan is the last of the constitutional Presidents, but it might, with more truth, be asserted that he is the first of constitutional tyrants and usurpers. The President had virtually surrendered the Government to the Secessionists, who gained his ear. He traveled with them to the verge of dissolution, but, refusing to take the leap, they turn their keen blades against him, and he now cries for help. While he preaches like a patriot, his acts are like those of a traitor. He would say to him, "Deceitful man, be sure that your sins will find you out." In the course of his remarks, he said that the Administration lent itself to the Disunionists, who, emboldened by his course, destroyed the Democratic party. The Union would have been in safety if Douglas had been elected President. The Southern people are alone to blame for the defeat of Democracy, and the election of Lincoln. The object to be attained in this was the dismemberment of the Union.

These words were uttered in a spirit of fervor which marked a deep and rankling feeling, and, coming from the lips of a leading Douglas man, produced a sensation in Democratic circles. They confirmed the evident tendency of a consolidation of all parties in the North in that of one whose only rallying cry should be the Union and the Constitution. Speech after speech came from the Democrats, like the turning of leaves in the

Book of Fate, to pronounce against the wrong, the treason, the fatal madness of the disunionists and their vast conspiracy.

In the House, Thursday, Mr. Thomas, of Tenn., spoke Thomas' Speech. for himself and his constituents. He assumed that Lincoln was elected *because* of his hostility to Slavery—that he was elected not to govern the North but the South, which had no more to do with his election than it had with that of the Emperor of France. He argued the rights of the South in the Territories which their cash and blood helped to secure. Why parcel out these lands, by Homestead bills, to foreigners, many of whom cannot speak the English language, and yet deny the South entrance to that common domain? Having been denied its rights under the Constitution, the South had exercised only its "inalienable rights" of procedure in leaving the Union and its tyranny. Would coercion be attempted? It would result in the solid unity of every Slave State against the mad act. The South would never be conquered nor turned from her course.

Mr. Sickles, (Dem.,) of N. Y., followed. He took a strong stand against coercion.

They could not, under any provision of the Constitution, enforce the laws Sickles' Speech. against a seceding State. The law was applicable to individuals, and to enforce the law against the individual you must have judges and juries, and you must proceed against him according to the Constitution in the State where the crime was committed. It was clear, therefore, that they could not enforce the law against an individual, for no jury in South Carolina would bring in a verdict of guilty upon any indictment found at this juncture and under present circumstances. It was true, there was a general demand for the enforcement of the laws, but however true as an abstraction, however necessary at all times and imperative it might be on the Government to enforce them, it was now impracticable and impossible, as well as wholly unsuited to the occasion. The question then was, what was the duty of the Administration and of Congress? It was one of pacification and reconstruction; a duty which must undoubtedly be committed

to the next Administration, and the country must therefore await an appeal to the people. But what, in the meantime, is to be done? As yet no practical remedy had been devised, and State after State was going out of the Union. All the votes taken in the different Crisis' Committees tended to strengthen the indication that a remedy from these sources is out of the question. The dominant party have shown an indisposition to make those concessions indispensable to a reunion. Their bounden duty, then, was to preserve the *status quo*, and to preserve the existing state of things as nearly as possible—to avoid the employment of coercion. But, to do this, it was essentially necessary to their policy that a like purpose and spirit should animate their Southern friends. It would not do for the South to protest against coercion, while at the same time they seized the arms, arsenals, fortresses, navy-yards, and ships that come within their reach and power. To act thus was not and could never be peaceable secession—that would not be preserving the *status quo*. It was a declaration of war; and when sovereign States make war they could not cry peace, nor call for protection against coercion. * * *

Whatever may be the issue of events—whether, happily, by conciliation and justice to the South, we may find an honorable and fraternal solution of our difficulties; or whether, unhappily, we blindly drift into alienation, war, and irrevocable separation—the great commercial interests of this country require, the destiny of American civilization demands, that the political and territorial control of this continent, from the mouth of the Hudson to the mouth of the Mississippi, from the Atlantic to the Pacific seas, shall remain where it now stands—in the hands of the Government of the United States. In all the partisan issues between the South and the Republican party, the people of the City of New York are with the South; but when the South makes an untenable issue with our country, when the flag of the Union is insulted, when the fortified places provided for the common defense are assaulted and seized, when the South abandons its Northern allies for English and French cooperation, then the loyal and patriotic population

of that imperial city are a unit for the Union.—Mr. S. fully conceded the property right of a Slaveholder to his slave, and granted the South the right to bear slaves to the Territories. He, in fact, took no position against the South, except upon the sole issue of the property of the Federal Government and its just claims to its national possessions. These, he assumed, *must* be retained—if the South seized them they *must* be defended or retaken at all hazards. Upon the South alone rested the responsibility, if the property taken was not restored.

Mr. Ashley, (Rep.) of Ohio, charged that the conspirators for the overthrow of the Government had found cooperation from those connected with the administration. If the people knew what had been going on for the last four years in every department of the Government, there would have been such an expression at the ballot-box as would have effectually silenced the allies of the South living in the North. The party who had violated the Missouri and other compromises, now ask, as a condition of their remaining in the Union, such amendments to the Constitution as will give a finality to the Slavery question. The Republican party ought to die if they engraft on that instrument the recognition of property in man! That Slavery shall be extended and made perpetual is the test demanded. To meet the secession movements, he would abolish all the ports of entry where the laws are now obstructed, proclaim a blockade in the ports of the rebellious States, and let thoughtless men take the consequences of their own illegal acts. Mr. Lincoln will be inaugurated in Washington, and this will remain the seat of Government so long as there can be found States loyal to the principles on which the Government was founded. If the conspirators succeed, Washington will not be the capital. If the President had acted with firmness, these troubles would not exist. He will retire from his office utterly disgraced. The speaker claimed to represent all of North-western Ohio when he said that his people would *demand* the recovery of all the stolen property, and the restoration of the authority of the General Government in all its rightful and constitu-

Ashley's Speech.

tional avenues. No Executive, he maintained, could satisfactorily administer the Government who would accept any other settlement with rebellion and treason.

Mr. Perry, (Rep.) of Maine, Perry's Speech. proposed to speak as a New England man, representing New England's sentiment in the crisis. Now that tyranny and treason stalk, with unblushing front, even in the halls of legislation, schemes of compromise were talked of—men would appease the monster by submitting to his voracious demands. Of course, in such schemes New England was not to be consulted. The South, indignant at the Yankees' persistent maintenance of self-respect, and their undying spirit of opposition to the spread of Slavery, proposed to rule New England out—to cut her off from the Confederacy-to-be. When that experiment shall be tried, the South would find that New England could live without the South as well as the South could live without her. He discussed the following points: First, the territory and population of New England; second, her social and moral condition; and third, her wealth and industry. In the course of his remarks, he spoke of her devotion to the Union. She was always prompt to repel foes from without and to meet traitors at home. She was willing to make any reasonable compromise which could not be construed into an abandonment of principle. So long as the men have arms in their hands, so long as they forcibly resist the common laws of the country, his voice was for war. The Government that negotiates with traitors deserves the contempt of the civilized world. "The Union must and shall be preserved."

In the Senate, Thursday, the Pacific Railway bill was under discussion. Friday's session was chiefly devoted to the consideration of the bill for the admission of Kansas. The Crittenden Resolutions were taken up, but their consideration was postponed to Monday, January 21st. Mr. Green, of Mo., introduced a joint resolution declaring that, for the purpose of protecting the rights of all the people and all the States as far as devolves upon the Federal authority, and to maintain the Union in all its purity and excellence, or, failing in that, to provide for a

peaceable separation, be it here recommended that the several States take immediate steps by a Convention or otherwise, and make propositions to the several States, each to the other, or by a Convention of the States, as will best conduce to the restoration of peace and harmony on principles of justice and equity to all. Ordered to a second reading.

As indicative of the cast of opinion in the Senate at this time, we may give the yeas and nays on Mr. Cameron's motion to reconsider the vote by which Mr. Clark's amendment to the Crittenden joint resolutions was adopted.

"YEAS—Messrs. Bayard, Bigler, Bragg, Bright, Clingham, Crittenden, Douglas, Fitch, Green, Gwin, Hemphill, Hunter, Johnson (Ark.), Johnson (Tenn.), Kennedy, Lane, Latham, Mason, Nicholson, Pearce, Polk, Powell, Pugh, Rice, Saulsbury, Sebastian and Slidell—27.

"NAYS—Messrs. Anthony, Baker, Ringham, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Harlan, King, Seward, Simmons, Sumner, Ten Eyck, Wade, Wigfall, Wilkinson and Wilson—24.

In the House, Friday, Messrs. Sherman, (Republican), and Pendleton, (Democrat), of Ohio, made speeches. The latter begged for compromise and peace. He would not debate whether there was legal or sufficient cause for secession. Certain Southern States have committed the act with a unanimity without parallel in the history of revolution. He said if this bill be passed not a dollar would be collected at Charleston. If an army could maintain the Union, half a million of men would spring up in a night. If money would keep it together the soil would leap with joy to produce its golden harvest. If blood, old and young men would yield it like streams which water their soil. But an army of blood and money will not preserve the Union. Justice, reason and peace may. What force can compel a State to do what is required to be done by legislation? The whole scheme of coercion is impracticable, and contrary to the genius and spirit of the Constitution. The Southern States are prepared to resist, and when armed men come together there is war. The enforcement of the laws against the Seceding States is coercion, and coercion is war. If the South say they have grievances, redress them, and calm

their agitation and irritation. Remember these men who thus come to us are bone of your bone. They are your brethren and fellow-citizens. You may grant what they desire, without losing your character and self-respect. He begged them, in God's name, to do it. Give peace instead of discord, maintain the Government, and preserve this great Confederated Empire. His voice, to-day, was for conciliation and compromise, and in this he echoed the voice of those whom he represents. If you will not grant this, in God's name let the affected States depart in peace. If the Southern States cannot be conciliated, if we cannot grant them what they desire, if they must leave the paternal mansion, he would signalize their departure with acts of kindness; if, in the vicissitudes of national existence, it should prove necessary for us to come together, there should be no pride to be humbled, and he would welcome them back to the place they should occupy.

Mr. Sherman's speech, which followed, commanded the undivided attention of all. His standing as a conservative yet firm Republican, his influence with his party and with the country generally, his position as Chairman of the most important committee in Congress, viz., of Ways and Means—all conspired to give interest and importance to his declarations. He approved of his colleague's appeal for peace and conciliation; but, the appeal was addressed to the wrong side of the House. He assumed that it was not the policy of any administration to "conquer" a State—to *compel* it to be represented in Congress, to *force* it to maintain Federal courts and post-offices. It is the duty of Government to protect each State as a constituent part of the whole, and therefore its paramount duty to protect the whole—to protect *itself*. To do this it is fully empowered by the instrument of its organization. It alone has the right to levy and collect duties, to make treaties and form alliances, to erect and maintain a navy, an army, forts, arsenals, navy yards, to declare war, and to make peace. It has a flag, the symbol of its supremacy—the emblem of its power and province to protect all who may of right gather under its folds. What has been

the course pursued by the Government? Had it overstepped its authority in any instance? Had it invaded a State? Had it occupied a part which did not belong to it by purchase and immutable cession? Had any community been overawed by a military power? Had any man's rights been contemned or invaded? Who can assert it? Not a line has government overstepped its duty and trust. Not a wrong has it committed to State or person. What cause, then, for the charges made against it—what propriety in the cry of coercion?

He then, at length, adverted to the instances of wrong and usurpation practiced against the government—the seizure of forts, arsenals, navy-yards, vessels—the firing upon the National flag—the calling out of an army to shoot down United States troops whose only offence consisted in simply taking care of, and protecting government property—the abrogation of United States laws and the general contempt for its authority—the seizure of moneys belonging to the United States treasury—the planting of cannon on the Mississippi River banks to arrest the tide of commerce on that National highway. What shall be done at this wide-spread and direct assault upon the Government. Shall it tamely submit and become a wreck at the bidding of enemies to become the object of pity and scorn, or shall it rise in its majesty to vindicate its claim to the name of a power and to uphold its system of liberty for the continued prosperity of its people and the admiration of the world? He said:—

"If this Government cannot survive a constitutional election—if it cannot defend its property or protect its flag—if it crumbles before the first sign of disaffection, what hope is there for free institutions in countries where kings, nobles, marshals, hereditary institutions and laws of primogeniture have existed for ages? Sir, when the love of liberty has inspired in modern times the masses of any people to demand the right of self-government, they are pointed to the French revolution of 1789; they are pointed to South America, whose changing Republics rise and disappear, so that not ten men in this House can now tell me their names. They are pointed to Mexico! God forbid that they shall ever adorn their infernal logic by adding the example of a disrupted Union here! It is said, with the license of poetry, that

'Freedom shrieked when Kosciusko fell.'

Sherman's Speech. She will die with the death of this Republic. I appeal to you gentlemen of the border Slave States, to arrest the tide that, but for you, will in a few days place us in hostile array with each other. If not, I see nothing before us but a fatal civil war. I do not threaten it, for I dread it, not for personal reasons, for you and I are but atoms in the storm; but all history teaches us that no free Government can be disrupted or overthrown without that disruption being followed in the end by military despotism. The man may now live who will be the Napoleon of this country. If your people will not sustain and support this Government in maintaining its public property in the Seceding States, then it must do it in spite of you, or perish in the attempt. * * *

If we can stand by each other, if our constituents will stand by us in that emphatic declaration, I do believe that the good ship that has borne us thus far on a prosperous voyage, will outlive the storm. But, Sir, if we yield too far to the fury of the waves, if we now surrender, without resistance, the forts, arsenals, dock-yards, and other property of the Government, we only demonstrate that we are not fit for the duties assigned us; and if our names survive our lives, they will only be recorded as those of a degenerate race, who had not the manhood to preserve that their fathers won. It is therefore due to you, Sir, to all our fellow members, to our countrymen, North and South, to say that in voting for the army bill, I vote with the expectation that it will be used in protecting the acknowledged property of the United States, in recovering that which has been unlawfully taken, and in maintaining the Union."

He did not believe in the power to invade a State, simply to coerce it, for, with the Attorney-General, he seemed to acknowledge the necessity of civil processes to call in the aid of the military. He said:

"I do not contemplate, in any event, hostile invasions of the soil of any State, unless demanded for the defence of the acknowledged property of the United States. It is the duty of the Government to suppress insurrection in a State, but in this event the military power can only be used in strict subordination to the civil authority. If the civil authority refuse to call for such aid, or suppress the Courts, the military power cannot intervene. If the Courts are closed, the duties of Postmasters cannot be enforced, or the mails protected; and, therefore, the postal service must necessarily be suspended. No doubt this measure will soon be adopted. If the revenue is refused, or cannot be collected, then goods cannot be imported, and the ports must be closed. If a State shall, in violation of the Constitution, undertake to regulate commerce then her com-

merce must be suspended. No doubt other measures can be devised that will preserve the peace of the country until the people of the States may confer in a constitutional way, unless one or more of the seceding States shall, by military force, shed the blood of their fellow-citizens, or refuse to the proper authorities the acknowledged property of the United States."

He then examined the question of compromise. The fact that a single State could coerce the Government must be admitted, if compromise be admitted, *because* of the secession of a State. Before any peaceful solution of differences could be made, it was simply necessary to crush out the heresy of the right of a State, at any time, to repudiate the authority of the General Government, and to erect itself into an independent power. If that assumption is not first forever killed, of what earthly use is compromise? Compromise could not, under its baleful assumption, save a rupture, at any moment, and the precedent would serve only to demoralize the Government—by making its enemies all the more imperative and intractable.

The Republican party, as a party, had, in no way, infringed upon the constitutional rights of any section, and it did not propose to do aught to impair the rights of a single individual or State. Their candidate for the Presidency had been elected in a constitutional way, and every loyal citizen demanded his inauguration in peace, and that he be permitted to develop his policy in the usual way. He said:—

"You tell us that your people are excited and alarmed, and that they apprehend that an overwhelming Anti-Slavery element is about to be inaugurated in power, that will, directly or indirectly, affect the constitutional rights of your States. Perhaps you will confess what you know to be true that, for political purposes in the struggle, partisans for the ascendancy of both parties in the South, have united to fire the Southern mind against the hated Black Republicans of the North. Speeches have been distorted. Single sentences have been torn from the context and made to deceive and mislead. Garrison, Wendell Phillips, Seward, Lincoln, and latterly, Douglas, have been mixed in a hated conglomeration, and used to excite your people. A philosophic opinion of Mr. Seward has been construed into a statement of a settled purpose to overthrow Slavery in the States, though in the very paragraph itself all idea of interference by the people

Sherman's Speech.

of the Free States is expressly excluded. It is but a year since you inflamed your constituents because some of your fellow members recommended without reading, a book written by one of your own citizens, containing obnoxious opinions about Slavery. Nearly all of you gave birth, stability and victory to the Republican party by adopting the policy you now join in condemning. Some of you broke down the only political organization that could compete with us, and thus gave us an easy victory. You have all contributed, more or less, in perverting the public mind as to our principles and purposes; but even the baptism of misrepresentation, through which this Republican party has thus far advanced, does not excuse us from doing all in our power to produce conciliation, harmony, peace, quiet, and a fair and honest adjustment of all the difficulties that surround us."

He then proceeded to review the claims of the South for Constitutional amendments, remarking that the Republican party had no desire or power to interfere with the social institutions of the Slave States. He thought an amendment would have the good effect to set at rest the slanders in that direction. But, he asked *equal rights* under the same Constitution and amendment, to the institutions and people of the Free States. To this end it should guarantee, in the Slave as well as in the Free States, freedom of opinion, freedom of the press, freedom of speech—it should perfectly protect Northern men from the violence and outrage which are sure to be meted out to any citizen who differs in opinion from a Southern public. His words were:—

"Our people in the North have the right to express their opinions about Slavery, to write, to speak them, and to preach them. Freedom of speech, freedom of the press, and freedom of opinion are essential to the preservation of Republican institutions, and they never can be and never will be surrendered. Their convictions that Slavery is a social, moral and political evil, are fixed and immutable. They are now shared by the great body of the civilized world. They are not likely to be weakened by time or reason, and surely they will not be weakened by threat of disunion. They have a right to their opinions; you have a right to yours. You can write them, speak them, and preach them. The providence of God will in due time, and in his own way, determine this difference of opinion. Opinions may freely be left to test their strength before the Great Arbitrator. We go a step further; we invite you in our

midst; you can discuss your peculiar opinions and views in any town or city in the Northern States. It would be far better for you to invite a similar discussion of our citizens, rather than confess your weakness by mob violence, and excite alarm among your citizens and unfounded hopes among your slaves by misrepresentations."

The Fugitive Slave law he regarded as unconstitutional—in some of its provisions it was unjust, since it could be used to kidnap freemen as well as to capture fugitive slaves—its practical effect was to excite resistance. It ought to be, and would be, modified, and the laws of the States to prevent its abuses would then be promptly repealed.

In conclusion, he asked that Mr. Lincoln's Administration should have a fair trial. It would prove just to individuals and beneficent to the whole country. As his election had been constitutionally achieved, so his Administration should be constitutionally obeyed. It must be obeyed; and no combination on the Continent had power, or ought to have the power, to change the legitimate results of our elective franchise. The Constitution was made for all, and must be obeyed by all—there was no provision for exemption from, or non-submission to, its wholesome responsibilities. *It must be obeyed!*

This speech made a powerful impression on the House. Its candor of statement, its directness of argument, its resolute tone, conspired to create fresh confidence in the friends of the Union, and to discomfit its enemies. It called out Crawford, of Georgia, who defended the seizure of the forts as a matter of safety to the several States. At the same moment he convicted himself of inconsistency, by declaring that the South wanted to depart in peace—her people would die in defence of their rights of sovereignty—using the logic of the highwayman who, after robbing the confiding wayfarer, begs to depart in peace, claiming that his robbery was committed in self defence.

Mr. Hill, of Georgia, had the candor to repudiate such transparent absurdity. Referring, in a kindly manner, to Mr. Sherman's position, he expressed the belief that the South was approachable with reason,

Admissions of Hill,
of Georgia.

and earnestly appealed for conciliation. Let the people have time to speak. He would await the result with confidence and hope. If Georgia resolved to secede she would do so prospectively, in order to give time to save the great structure of Government. He wished it borne in mind that he belonged not to the class of men who would dismember the Confederacy. He would as soon take a glass vessel and crush it to pieces to make it a better one, as to attempt to make a better Government by crushing the present into atoms. If Georgia shall proceed to the extremity of secession, he would ask her, for her own sake, to have the manliness, after the act is done, to refuse a reconstruction of the Union, and to stand out as an island alone. There would be dignity, if not safety, in such a step.

A resolution was introduced by Burnett, of Kentucky—the Army Appropriation bill being under consideration in Committee of the Whole—as an amendment that no forces authorized in the bill shall be used to subjugate seceding States. He wanted the country to understand whether it was intended to make war on them or not. Rejected. The bill was then reported to the House.

Mr. Holt's Confirmation.

The proceedings in the Senate, Thursday, were, as stated, confined chiefly to consideration of the Pacific Railway bill—Messrs. Douglas and Benjamin leading. The matter of most interest to our subject was the discussion, in Executive Session, over the President's nomination of Joseph Holt, as Secretary of War. The discussion is represented as having been of an exciting character. An effort was made, by the opponents of the confirmation, to refer it to the Committee on Military Affairs, as Mr. McIntyre's nomination, as Collector at Charleston, had been referred to the Committee on Commerce—equivalent to a suspension of the nomination. But, the effort failed, and, in the Friday's session, after another exciting debate,* his appointment was con-

firmed, by a vote of 38 to 13. The opposition was made by the Secessionist members, who regarded him as a Coercionist. They evidently did not like to see such respect for his oath, and such devotion to duty, as Mr. Holt already had borne into that sadly administered department. Mr. Floyd was their beau ideal of a War Secretary.

In the Senate, Saturday, the Kansas bill chiefly consumed the day. Mr. Mason, of Virginia, presented the following joint resolutions, which passed to a second reading, and were ordered to be printed :

"Whereas, It appears to Congress that the State of South Carolina has, by an ordinance of the people of that State in Convention assembled, declared the State separated from the United States and the Government thereof, as established under the Constitution; and it further appearing that by reason of such declared separation there are no officers of the United States acting under the authority thereof in the judiciary department of this Government, or under the laws for the collection of the revenues of the United States, whereby and in consequence whereof the laws of the United States are in fact suspended within the limits of said State; therefore, to avoid any hostile collision that may arise between the authorities of the United States and the State of South Carolina aforesaid, in any attempt to execute the laws of the United States in the absence of the officers required by law to administer and execute said laws, be it

"Resolved, By the Senate and House of Representatives, that from and after the passage of this joint resolution, all laws of the United States directing the mode in which the army and navy, and other public forces of the United States shall be used by the President of the United States in aiding the civil authorities in executing the laws and authorizing the same,

enjoying all the prosperity consequent upon the present Union and form of Government, she never would consent to its breaking up and the formation of a Southern Confederacy, of which she would be a Border State, exposed to all the dangers and losses of such a position. He was much affected during this portion of his remarks, and the manner in which he upbraided the Southern men who defeated his Compromise in the Senate was very severe. He took the position that the Union must be preserved at all hazards, either by peaceable means or by force, and that force used against the lawless citizens of a Government is not coercion of a State. The speech, being entirely unexpected, created a great sensation among the Senators."

* A correspondent, at the Capital, writing to the New York *Daily Times*, of the Friday's debate in closed session, said :

"During the debate on the nomination of Secretary Holt, Mr. Crittenden is said to have taken the ground that, as Kentucky is now a Central State,

and all laws for the collection of revenues shall be, and the same are hereby suspended, and made inoperative in the State of South Carolina for the time being; and that should it be made to appear hereafter by the Executive authority of any other State or States that a line ordinance has been passed by the people of any State, declaring such State or States separate from the United States, then it shall be the duty of the President of the United States to announce such separation by proclamation, and all the laws of the United States shall in like manner be suspended and rendered inoperative in such State as aforesaid."

Nothing of importance transpired in the House, in the Saturday's session.

During the week a large number of petitions and memorials had been presented, from various States, praying the adoption of the Crittenden Resolutions. It is estimated that one hundred thousand names were thus represented. Besides these expressions, many of the leading men of the Northern States were pressing the propositions of Mr. Crittenden upon members as a satisfactory solu-

tion of the disunion movement troubles; but, though, as the Republican leaders had repeatedly asseverated, they earnestly desired peace, a compromise obtained at that late hour, under compulsion, was evidently so powerless to satisfy the disunion schemers that it became daily more and more apparent no compromise would be adopted. While the South actually was in arms, and already had committed overt acts of treason and revolution, to have accepted even Mr. Crittenden's appeal to the people, would not only have argued a state of fear, but would, in reality, have rendered the South more arrogant in its attitude toward the Free sentiment and the Free States. So the Republicans and many Democrats reasoned, and the decidedly belligerent tone of the loyal press, of the State legislatures, of leading Congressmen, as well as of a large majority of the people, left no hope for a settlement, except the South should recede from its defiant and hostile attitude.

CHAPTER XVI.

CONDITION OF THE UNITED STATES' DEFENCES UP TO FEB. 1ST.
THE AFFAIR OF THE NORTH CAROLINA FORTS. DETERMINED
ATTITUDE OF THE GOVERNMENT. COL. HAYNE'S DEMANDS.
THEIR REFUSAL. ORDERS TO MAJOR ANDERSON. VIRGINIA'S
POSITION. HER PLANS OF PACIFICATION. GENERAL STATE OF
THE UNION UP TO FEB. 1ST.

Important Naval
Movements.

The corvette, *Macedonian*, sailed for Fort Pickens with reenforcements, in the second week of January. Troops were also ordered to the Key West and Tortugas fortifications. In and around Washington enough force was concentrated to secure the city from any "Southern incursion." Fortress Monroe, at Hampton Road, Virginia, was given a garrison equal to its protection. Fort McHenry, in Baltimore, was garrisoned and put in defensive order. These several points of strategy and defence were thus comparatively secure, and as they really were the

"keys" to command Southern ports and commerce, their safety greatly contributed to the confidence of the loyalists in the ultimate ability of the Administration to prevent further encroachments of the revolutionists. This feeling was measurably confirmed by the apparently loyal attitude of North Carolina. It had been announced, as early as January 2d, that Governor Ellis, of that State, had dispatched troops to seize the arsenal at Fayetteville, and the forts at Wilmington and Beaufort. The news created much bitter feeling at the War Department, for, though inclined to repossess them, the

meagre force at the disposal of the Secretary rendered it impossible to take any action. The feeling of the Department was communicated, unofficially, to the Governor. Under date of January 12th he wrote to the President that the seizures had not been made as reported, but that, on the 8th of January, the forts of Wilmington alone had been seized, but, by his military orders, were restored. He said:

The North Carolina
Forts. "My information satisfies me that this popular outbreak was caused by a report, very generally credited, but which, for the sake of humanity, I hope is not true, that it was the purpose of the Administration to *coerce* the Southern States, and that troops were on their way to garrison the Southern ports, and to begin the work of subjugation. This impression is not yet erased from the public mind, which is deeply agitated at the bare contemplation of so great an indignity and wrong; and I would most earnestly appeal to your Excellency to strengthen my hands in my efforts to preserve the public order here, by placing it in my power to give public assurance that no measures of force are contemplated towards us."

This communication Mr. Buchanan turned over to Mr. Holt for answer. He wrote:—

"In reply to your inquiry, whether it is the purpose of the President to garrison the forts of North Carolina during his administration, I am directed to say that they, in common with the other forts, arsenals, and other property of the United States, are in the charge of the President, and that if assailed, no matter from what quarter or under what pretext, it is his duty to protect them by all the means which the law has placed at his disposal. It is not his purpose to garrison the forts to which you refer at present, because he considers them entirely safe, as heretofore, under the shelter of that law-abiding sentiment for which the people of North Carolina have ever been distinguished. Should they, however, be attacked or menaced with danger of being seized or taken from the possession of the United States, he could not escape from his constitutional obligation to defend and preserve them. The very satisfactory and patriotic assurance given by your Excellency justifies him, however, in entertaining the confident expectation that no such contingency will arise."

If Sumter and Pickens could be placed beyond the hazards of capture, and the Navy-yard at Norfolk could be rendered secure from seizure, it would give the incoming administration the *points d'appui* necessary for

a dictation of terms to the revolutionists—their retention might force a settlement of the Union question when all compromise should fail; while, if the blood of loyal citizens was shed in their defence, they would become the signal-lights to concentrate the patriotism of the people and States. Whatever may have been Mr. Buchanan's wishes in the matter, it is evident that his cabinet and General Scott regarded the question in the light we have represented, and those patriotic men lent all their energies to the occupation and retention of all the points named.

A dispatch from New Orleans, dated January 15th, said:—"Consul Pickens went to Vera Cruz this morning, bearing important dispatches from Washington to the Commander of the Gulf Squadron. It is rumored they were for a concentration of the fleets at the mouths of the Mississippi and the Harbor of Pensacola." The great activity in the Portsmouth and Brooklyn Navy-yards was also a marked feature in the events of the month, which went to prove that the Federal Government had truly become aroused to the imminence of its danger. Every vessel of war, capable of service, was, apparently, to be called into requisition for any service which the policy of resistance to aggression might require.

Col. Hayne, the "Agent" of Governor Pickens, to bear to Washington the *ultimatum* of South Carolina, had an interview with Mr. Buchanan on Tuesday, January 15th. His demands were understood to be made by authority of Governor Pickens, as Commander-in-Chief of the South Carolina forces; he was neither empowered by the Legislature nor by the Convention. His terms proposed the entire withdrawal of Major Anderson and the Federal garrison from Charleston Harbor, guaranteeing that South Carolina would then honorably treat for the forts and a just settlement of all questions at issue. The President refused to recognize Colonel Hayne as an agent; and that no misconception might arise, he turned the messenger over to the War Department, ordering him to put his demands in writing. As significant of the purposes of the Administra-

South Carolina's
"Agent."

tion, Lieutenant Hall, of Fort Sumter, Major Anderson's bearer of dispatches, left Washington with sealed orders, on Wednesday, January 16th, for the Major to be prepared to retain his post to the last, in event of any attempt to force him from his position. The corvette *Brooklyn* and the *Harriet Lane* were understood to be ready to lend him their assistance at any moment, while vessels from the Gulf Squadron would soon be in to cooperate in Sumter's defense, if an assault should be made. This determined front rather intimidated the "agent," and we find him not only hesitating in his further formal proceedings, but, it is said, the most urgent messages were sent from the secession leaders in Washington to Governor Pickens, remonstrating against any attempt to dispossess Anderson. Colonel Hayne, therefore, reserved his communication to the War Department to a later day. Governor Pickens, probably to give force to his "agent's" demands, sent in a message to the Legislature of South Carolina, (January 15th,) advising the raising of two more military companies and one more regiment, to serve three years. He proposed the permanent garrison of the extensive fortifications in South Carolina. "This may be expensive, but, considering that we shall soon have a Southern Confederacy, it will be necessary to protect the sea-coast, and afterward transfer the troops to the Southern Government. The fanatical excitement of Northern people shows us that if we expect to preserve peace, we must prepare for war." That message only rendered the War Department more determined to prepare for the seemingly inevitable emergency of a collision.

The Position of Virginia.

The position of Virginia began to absorb public attention to a great degree during the middle of January. Her location as a "Border State"—her proximity to the Federal capital—her importance as a political power rendered her course of vital importance to the cause of the Union. She, seemingly, held it in her keeping; if she cast her influence into the scale of the revolutionists the Southern Confederacy would become a government *de facto* until strength of arms should decide between the contestants for supremacy.

The extra session of the Legislature convened by Governor Letcher, January 7th, continued in exciting and active session during the entire month. Its primary indications were, as we have said, decidedly inimical to the cause of the Union, [see page 164]; but the powerful influences brought to bear by members of Congress, by Messrs. Botts, Sherwood, Clemens, Amos Kendall, and other determined Unionists, for a while stemmed the tide of Secession sentiment, so far as to keep it in abeyance until propositions of settlement could be acted upon. This peace policy little suited the plans and designs of Jas. M. Mason, Jno. B. Floyd, Henry A. Wise and their coadjutors, who had fully arranged to "precipitate" the State according to the prearranged secession programme; but it seemed to stay the revolution at least for the moment. A plan came up in the House of Delegates, understood to have originated in Washington and to have been forwarded by Roger A. Pryor. It embraced the following propositions in resolutions:—

"*First:* There must be some definite and conclusive settlement of the Slavery question, between the two sections of the country, or separation will be inevitable.

Pryor's Plan of
Settlement.

"*Second:* Proposing the Crittenden compromise, as amended by Mr. Douglas, as the basis of a fair and honorable adjustment, and as the least that Virginia feels she can take as a settlement.

"*Third:* The appointment of a Commissioner to each State in the Union to represent the action of Virginia, and to invite a response to this measure of conciliation.

"*Fourth:* A strong appeal to the Federal Government to stay its hand and avert all acts which may lead to a collision pending the mediation of Virginia.

"*Fifth:* An appeal to the Seceding States to preserve the existing status, and also to abstain from all acts which may precipitate a collision."

Similar movements were contemplated in the Legislatures of the remaining Border States. Out of this plan eventually sprung the "Peace Convention" which assembled in Washington, February 4th, composed of specially appointed Commissioners from all the States in the Union, excepting from those States already in revolution.

On the 16th, the House of Delegates' Committee on Federal Relations reported, on Mr.

Smith's resolutions, that it is inexpedient for the Federal Government, under existing circumstances, to make any additional military force, inasmuch as it would be liable to misconstruction, and tend to credit uneasiness in the public mind; and requesting the Governor to obtain immediate information for the purposes of the General Government with respect to strengthening the military force in the arsenals, &c., in Virginia. No action was taken on the report of the Committee. It embraced, as its basis of compromise, the plan above referred to, which was understood to have the approval of Messrs. Crittenden, Douglas, Breckenridge, Wm. C. Rives, and other eminent Conservative leaders, while it was, of course, opposed by the Secessionists. The plan was, however, to be referred to the Peace Congress, or Conference, which the Report recommended to be called to meet at Washington, February 4th. On the 17th this Report was acted upon, so far as the calling of the Congress, with the proviso that the Commissioners, which Virginia might send, should at all times, be under control of the General Assembly, or of the State Convention, if it should be in session.

In the State Senate, January 17th, the Committee on Federal Relations reported resolutions that, in the opinion of the General Assembly, the propositions embraced in the Crittenden resolutions constitute such a basis of adjustment as would be accepted by the people of this Commonwealth; that Commissioners be appointed to the General Government, also to South Carolina and other Seceding States, with instructions respectfully to request the President and the authorities of such States to agree to abstain, pending the proceedings contemplated by the action of this General Assembly, from all acts calculated to produce a collision of arms between the States and the General Government. It was made the order for the succeeding day. Considerable opposition was manifested, and a substitute offered.

The Governor also communicated the New York State Legislature resolutions, copies of which had, by special vote, been sent to the Governors of all the States. His views of the resolutions were expressed in the following message:—

“EXECUTIVE DEPARTMENT, RICHMOND,
“January 17, 1861. }

“*Gentlemen of the Senate and House of Delegates:*

“I have received a communication from his Excellency Reply to New York. Edwin D. Morgan, Governor of New York, inclosing a preamble and resolutions adopted by the Legislature of that State.

“The first resolution declares ‘that the Legislature of New York’ tenders to the President of the United States ‘whatever aid, in men and money, he may require, to enable him to enforce the laws and uphold the authority of the Federal Government.’ This I understand to be a declaration of their readiness and willingness to sacrifice the men and money of that State in the effort to coerce the Slaveholding States into submission to Federal authority. The Governor and Legislature of New York ought to know that the sword has never reconciled differences of opinion. Military coercion can never perpetuate the existence of this Union. When the affections of the people are withdrawn from the Government, an attempt at coercion can have no other effect than to exasperate the people threatened to be coerced. Blood shed in civil strife can only enrich the soil that must speedily produce ‘a harvest of woe.’

“I cannot suppose, from what has occurred, that the President of the United States would be inclined to adopt a policy which he must see and know could not fail to result in bloodshed. I am satisfied that prudence and patriotism would induce him to reject all counsels and measures which would be calculated to bring about so great a calamity. I have no idea, therefore, that he will accept the tender which has been so inopportunistically and ostentatiously paraded before the country.

“Nothing that has occurred in the progress of this controversy has been worse timed and less excusable. If the Governor and Legislature of New York desire to preserve the Union, a tender of men and money, under the promptings of passion, prejudice and excitement, will not produce the result. At a time like this, when the horizon is overcast with clouds, when darkness and gloom are gathering close around us, and when we behold nothing but danger on all sides, some little wisdom, discretion and prudence is expected from the representatives of the people. They ought, at least, to refrain from adding fuel to the flame that burns with utmost intensity now. It would have been far better that these resolutions had never been adopted.

“In 1798 and 1799 the action of Virginia was marked by calmness, dignity, and an earnest desire to preserve the Union, without prejudice to the rights of the States. No feeling of resentment toward the other States was manifested by those great men, in that day of peril and trial. No effort was

made to produce estrangement between the different sections of the country, or to inflame popular prejudices. Their example is worthy of imitation when events are hurrying us on so rapidly into civil strife.

"Nothing but a sense of duty has induced me to transmit this preamble and resolutions to the two Houses of General Assembly. The threat which is conveyed in them can inspire no terror with Freemen.

"JOHN LETCHER."

The message and accompanying resolutions were read, when, on motion of Mr. Anderson, it was unanimously

"Resolved, That the Governor of Virginia return the resolutions of the Legislature of New York to the Executive of that State, with the request that no such resolutions be again sent to this General Assembly."

The House of Delegates passed a bill, January 18th, appropriating one million dollars for the defense of the State. In the Senate, Jan. 19th, the consideration of the report on Federal resolutions, contemplating a National Convention, was resumed. The second resolution in the report was amended by appointing John Tyler, William C. Rives, John W. Brockenbrough, George W. Sumner and James A. Seddon, Commissioners

to Washington, on the 4th of February, to procure a delay of Federal action,

The Peace Congress
Resolutions.

looking toward coercion.

The fifth resolution was amended by modifying Mr. Crittenden's proposition, so as to give additional protection and security to slave property.

The sixth resolution was amended by appointing John Tyler a Commissioner to wait on the President of the United States, and Judge John Robertson a Commissioner to South Carolina and the other Seceding States, to request them to abstain from hostile acts during the pendency of proceedings.

The report was then passed by yeas 40, nays 5.

The following was then introduced, and passed *unanimously*:

"Resolved, That if all efforts to reconcile the differences between the two sections of the country shall prove abortive, then every consideration of honor and interest demands that Virginia shall unite her destinies with her sister Slaveholding States."

The House of Delegates, January 19th,

concurred in the Senate amendments of the report of the Committee on Federal Relations, as above given; when the following resolution was adopted:

"Resolved, That the interests of Virginia are those of her Southern sisters, and no reconstruction of the Union can be permanent which will not secure to each section self-protecting power against any invasion of the Federal Union upon the reserved rights of either."

The people of the State were approached by their delegation in Congress. Acting under the "central power" of Mason, Toombs, Hunter and Davis, ten members signed and sent out an "Address to the Virginia people," giving a review of the proceedings and the probable action of Con-

Address of the
Congressmen.

gress in regard to the present state of affairs. They

said: "It is vain to hope for any measures of conciliation or adjustment from Congress, which the people can accept. Also, that they are satisfied that the Republican party designs, by a civil war alone, to coerce the Southern States, under the pretext of 'enforcement of the laws,' unless it shall become speedily apparent that the Seceding States are so numerous, determined and united, as to make such an attempt hopeless. The address concluded by expressing the solemn conviction, that prompt and decided action by the people of Virginia in Convention will afford the surest means, under the providence of God, of averting the impending civil war, and of preserving a hope of reconstructing a Union already dissolved." This was devised to create a new fever for hasty action in the Legislature. The tendency of things towards the "peace" policy alarmed the conspirators at headquarters; they, hence, sought to restore the immediate secession sentiment to its destined ascendancy ere the Peace Congress could proceed to arrange a scheme of adjustment. The Address was one of several plots emanating from Washington to drive the people into the revolution. That this was the sole purpose of the Address was soon evident in other extraordinary exertions made by the Secessionists to recover their lost ground. A leading member of the Legislature, on the Conservative side, wrote as follows, under date of January 23d:

* "Recent developments have encouraged me to believe that the action of Virginia will be decidedly conservative. There was a violent and unnatural excitement here, produced by the systematic efforts of disunion politicians. The sober second thought has begun to operate, and a more wholesome condition of feeling prevails. I think a large majority of the Convention will be opposed to immediate secession.

"The position of the conservatives in our General Assembly has been a trying one. At the earlier period of the session we were overwhelmed by the destructive. But we rallied our forces, and, after a resolute fight, we have beaten them, and so shaped the action of the Legislature as to render it decidedly conservative. Virginia now occupies the position of *mediator*, holding back the belligerents and tendering the olive branch of peace."

Maryland continued

Maryland still firm. steadfast to the Union under the firm guidance of Governor Hicks. On the 20th it was stated, in a dispatch from Baltimore, that the great mass of the people approved the course pursued by the Governor in refusing to call the Legislature. Another statement was published to the effect that "Union meetings held in almost every county approve his course, and pronounce against disunion. The association of Minute Men of Baltimore have taken a noble stand in support of Governor Hicks and the Union. This organization, formed about a month before the Presidential election, numbers about thirty-two hundred active members in the city, and is affiliated with kindred organizations in every county in the State. They are divided into companies of sixty-four men each. To their efforts is due the brilliant success of the recent Union meeting in Baltimore. Upon the very day when the forty United States marines were sent to take possession of Fort McHenry, it was intended by the Minute Men to occupy and hold it, until relieved by the Federal troops, and thus to keep the property safe from the possibility of seizure by the rapidly organizing Secession association called the "Southern Volunteers." A dispatch from another source, dated the 21st, expressed less sanguine views of the Union strength in the State. It said:—"Georgia's secession has struck a melancholy blow to the hopes of Maryland. We are now at the mercy of

Virginia. If she secedes, and no speedy compromise is made by Congress similar to Mr. Crittenden's proposition, I have positive knowledge that the people of Maryland are preparing, independent of the Governor, to elect and convene a Sovereign Convention, which will certainly withdraw the State from the Union before Mr. Lincoln's inauguration."

Delaware showed herself

to be loyal. Her Legislature approved the Crittenden resolves, January 17th. The following among other resolves, though not acted on affirmatively, still reflected the tone of feeling which was uppermost with the people:—

"Resolved, That we believe solemnly that the Constitution and the laws of the United States faithfully administered and implicitly obeyed are fully equal to heal all grievances, coming from what portion of the country they may.

"Resolved, That Delaware knows no North, no South, no East, no West, but only the Union, Constitution and Laws, and earnestly desires that the laws be fully and faithfully enforced in every portion of our Union.

"Resolved, That we earnestly recommend to our Senators and Representatives in Congress, under no circumstances to countenance or sanction the withdrawal of any State from the Union, but in the language of Jackson, this 'Union must and shall be preserved.'"

In North Carolina much opposition was manifested

North Carolina Hesitating.

to the secession of the State.

One party was unmistakably Union at all events; another favored compromise, which, if not conceded, should be cause for secession; another was for cooperation with Virginia. The number of unconditional separationists was comparatively small, but powerful enough, with the outside pressure of South Carolina, to keep the State moving quietly but surely toward the point of open action. The Legislature of the State was in session during January. January 16th, anti-coercion resolutions passed to a second reading. They were opposed to coercion even to pledging the whole power of the State to resist any attempt of the General Government to use arms against a seceding State. The Convention bill was also under consideration.

The Arkansas Legislature, January 16th,

unanimously passed a bill submitting the question of calling a Convention to the people on the 28th of February. If a majority favored a Convention, the Governor was to appoint the day.

Missouri. The Missouri State Legislature continued in excited session during the month.

Its Senate, January 16th, passed a Convention bill, yeas 31, nays 2. The bill left the entire matter, however, to the people. The voters were to decide at the time the delegates were elected, whether the Secession Ordinance, if passed, should be submitted to the people for ratification. The election of delegates was set for February 18th, the Convention to meet on the 28th.

Kentucky. The Governor of Kentucky submitted (Jan. 17th) a long message to the extra session of the Legislature convened by him to consider the crisis. He adverted at length to the facts of the secession movement, the means of adjustment proposed, the action desirable for the Border States to urge, &c. He recommended for the Legislature, as a body, to endorse the Crittenden resolves, and also advised the calling of a State Convention, saying:

Governor McGoffin's Message. "We, the people of the United States, are no longer one people, united and friendly. The ties of

fraternal love and concord which once bound us together are sundered. Though the Union of the States may, by the abstract reasoning of a class, be construed still to exist, it is really and practically, to an extent at least, fatally impaired. The Confederacy is rapidly resolving into its original integral parts, and its loyal members are intent upon contracting wholly new relations. Reluctant as we may be to realize the dread calamity, the great fact of revolution stares us in the face, demands recognition, and will not be theorized away. Nor is the worst yet told. We are not yet encouraged to hope that this revolution will be bloodless. A collision of arms has even occurred between the Federal Government and the authorities of a late member of the Union, and the issue threatens to involve the whole country in fratricidal war. It is under these circumstances of peculiar gloom that you have been summoned. * * * * *

In view of the partial disruption of the Union, the secession of eight or ten States, the establishment of a Southern Confederate Republic, and the administration of this Government upon the principles

of the Chicago platform—a condition of our country most likely near at hand—what attitude will Kentucky hold, and by virtue of what authority shall her external relations be determined? Herein are involved issues of momentous consequence to the people. It is of vital importance to our own safety and domestic peace, that these questions be solved in accordance with the will of a majority of our people. How have our neighboring States prepared to meet this emergency? Tennessee has, through the action of her Legislature, referred the whole subject to her people, to be passed upon in their sovereign capacity. Virginia and North Carolina are discussing the propriety of a similar course, and will most probably authorize the people, through sovereignty Conventions, to dispose of questions so deeply and vitally concerning their interests. Missouri seems likely to adopt a similar policy. These States wisely recognize the fact that the country is in a state of revolution; and, it seems to me, there is an eminent propriety, at such a time, in a direct appeal to the people. The ordinary departments of the Government are vested with no power to conduct the State through such a revolution. Any attempt, by either of these departments, to change our present external relations, would involve a usurpation of power, and might not command that confidence and secure the unanimity so essential to our internal safety. Thus encompassed by embarrassment, complication and doubt, assailed by a diversity of counsels, and encountering much variety of opinion, it seems to me the wisest, as, certainly, the safest mode of meeting the extraordinary emergency, is to adopt the course pursued by our neighboring States, and refer these great questions to the arbitrament of the people, whose happiness and destinies they so deeply affect. We should, in this mode, secure unity among ourselves, and attract the cordial loyalty of all our citizens to Kentucky, wherever she may cast her lot. I, therefore submit to your consideration the propriety of providing for the election of delegates to a Convention, to be assembled at an early day, to whom shall be referred, for full and final determination, the future Federal and inter-State relations of Kentucky."

The Legislature, however, refused to call a Convention. It was decidedly averse to any action looking to Secession.

Tennessee was laboring in the throes of the revolution. The following joint resolutions were adopted January 20th:

"Resolved, By the General Assembly of the State of Tennessee, that this General Assembly has heard with profound regret, of the resolutions adopted by the State of New York, tendering men and money to the President of the United States, to be used in

coercing certain sovereign States of the South into obedience to the Federal Government.

"*Resolved*, That this General Assembly receives the action of the Legislature of New York as the indication of a purpose upon the part of the people of that State to further complicate existing difficulties, by forcing the people of the South to the extremity of submission or resistance, and, so regarding it, the Governor of the State of Tennessee is hereby requested to inform the Executive of the State of New York that it is the opinion of this General Assembly that whenever the authorities of that State shall send armed forces to the South for the purposes indicated in said resolutions, the people of Tennessee, united with their brethren of the South, will, as one man, resist such invasion of the soil of the South at all hazards, and to the last extremity."

The Lower House adopted, on the 21st, without dissent, its plan of Convention and compromise as follows:

"1. *Resolved*, by the General Assembly of Tennessee, That a Convention of Delegates from all the Slaveholding States should assemble at Nashville, Tennessee, or such other place as a majority of the States cooperating may designate, on the 4th of February, to digest and define a basis upon which, if possible, a Federal Union and the constitutional rights of the Slave States may be preserved and perpetuated.

"2. *Resolved*, That the General Assembly of Tennessee appoint a number of delegates to said Convention, of our ablest and wisest men, equal to our whole delegation in Congress; and that the Governor of Tennessee immediately furnish copies of these resolutions to the Governors of the Slaveholding States, and urge the participation of such States in said Convention.

"3. *Resolved*, That, in the opinion of the General Assembly of Tennessee, such plan of adjustment should embrace the following propositions as amendments to the Constitution of the United States."

The schedule then cited nine sections, embracing chiefly the Crittenden basis, with further stringent provisions for the reclamation of slaves—the permanent right of transit through Non-slaveholding States with slave property, and providing that no further amendments of the Constitution should invalidate or controvert the amendments suggested. The proposition closed with the following resolutions:

"4. *Resolved*, That said Convention of the Slaveholding States, having agreed upon a basis of adjustment satisfactory to themselves, should, in the opinion of this General Assembly, refer it to a Convention of all the States, Slaveholding and Non-

slaveholding, in the manner following: It should invite all the States friendly to such plan of adjustment to elect delegates in such manner as to reflect the popular will to assemble in a Constitutional Convention of all the States, North and South, to be held at Richmond, Virginia, on the — day of February, 1861, to revise and perfect said plan of adjustment for its reference for final ratification and adoption by Conventions of the States respectively.

"*Resolved*, That should a plan of adjustment satisfactory to the South not be acceded to by the requisite number of States to perfect amendments to the Constitution of the United States, it is the opinion of this General Assembly that the Slaveholding States should adopt for themselves the Constitution of the United States, with such amendments as may be satisfactory to the Slaveholding States, and that they should invite into a Union with them all the States of the North which are willing to abide such amended Constitution and frame of Government, severing at once all connection with the States refusing such reasonable guarantees to our future safety—such renewed conditions of Federal Union being first submitted for ratification to the Conventions of all the States respectively."

The attitude of the Northern States was not less belligerent at the close of January than at its opening. The various legislatures not only passed patriotic resolves, but almost without exception provided the "sinews of war" in the way of military appropriations and bills for a reconstruction of the militia systems so as to render a call for troops immediately available. In New York State the military system was, already, very perfect. New York city alone could muster at twelve hours notice fully twenty thousand perfectly armed and disciplined troops. A portion of these, comprising the 1st Division, about 7000 strong, were offered to the President through General Scott by Major General Sandford, commanding the division—to be ready for service at an hour's warning. Other equally significant tenders were made to the Governor of companies and regiments. The State Military Convention in session at Albany acted in a patriotic and determined manner. The Special Committee to report what arms were necessary for the State to purchase without delay, recommended the immediate purchase by the State of 25,000 arms, to be increased to 50,000 as soon as practicable; and also 5,000 pairs of cavalry pistols and 5,000 sabers.

The Pennsylvania Legislature, fully alive to the crisis, was not less patriotic than New York and Massachusetts. Resolves were passed, complimentary of Major Anderson, approving the conduct of Governor Hicks, in refusing to call the Maryland Legislature, and pledging to him the sympathy and support of Pennsylvania. The military organization was rendered very complete, and, under Governor Curtin's active cooperation, arms and equipments were being rapidly secured.

Governor Andrew, of Massachusetts, sent to the State Legislature, (January 23d), a message, inclosing a communication from Colonel Jones of the 6th Regiment, tendering the services of the Regiment to the Government; also a similar offer from Major-General Sutton and staff. The Light Artillery, National Lancers, and numerous other efficient military corps of Boston city and the State, voted, nearly unanimously, to respond to a call for active service.

New Jersey leaned visibly toward compromise and peace. The House of its Legislature, January 25th, considered resolutions embracing the Crittenden proposition, or recommending some other conciliatory measure, and appointing Charles S. Olden, Peter D. Vroom, Robert F. Stockton, Benjamin Williamson, Joseph F. Randolph, Frederick T. Frelinghuysen, Rodney M. Price, Thomas J. Stryker and William C. Alexander, Commissioners to go to Washington and join Virginia, and other State Commissioners, in bringing about a reconciliation, in order to save the Union. After a whole day's session, without adjournment, they were passed 31 to 11. The Republicans offered amendments, but they were voted down. They afterwards published a pamphlet address, setting forth their total dissent from the resolutions, and printed a minority protest to the propositions. They also resolved to send a counter-deputation to Washington, to represent their views.

CHAPTER XVII.

THE PRESIDENT-ELECT. HIS VIEWS AND WISHES. THE PRESIDENT IN FACT. HIS VIEWS AND PURPOSES. CORRESPONDENCE GROWING OUT OF COLONEL HAYNE'S MISSION. THE PEACE CONGRESS. RESPONSE OF THE STATES.

THE movements of the people, the views of Mr. Lincoln, the choice of the new Cabinet, all became matters of absorbing interest, during the middle and latter part of January. They were the "straws," whose direction seemed to indicate the line of conduct which was to be pursued by the incoming power.

Mr. Lincoln remained in Springfield during the entire month of January, receiving visitors, office-seekers, agents of candidates for positions, &c., &c.; while, not a few of the most eminent persons in the country approached him, either in person or by letter, in regard to the troubles distracting the nation. To all he gave a patient and candid hearing. His good-nature seemed equal to his visitors' pertinacity, curiosity and solicitude, since all seemed to leave his audience pleased. As the hour for his instalment to

office approached, the impression prevailed that his prudence and kindness would dictate the true steps to pursue in the crisis. To stay secession, of course, was impossible, since, ere he could come into office, a Southern Confederacy would be formed and in active operation. With no army, no navy, a depleted treasury, a Government thoroughly demoralized by its late terrible mismanagement, it did not appear possible for him to pursue any other course than that seemingly dictated by his circumstances—of forbearance toward the revolutionists and a peaceful policy looking to reconstruction. Yet, he gave very little indication of his line of conduct. His lips were not sealed, but they did not "blab the Statesman's secret;" and, though the public daily expected some declaration from him, which should act as oil upon the

troubled waters, no definite, or even indicative words were put forth by him, or by his authority. He was reticent to an extraordinary degree.

One of the numerous visitors to the fireside of Mr. Lincoln at Home. the President-elect, in the middle of January, gave the public the results of his inquisition. His experience was thus detailed :—

* * * “The subject of conversation was politics, and Mr. Lincoln expressed himself upon every topic which was brought up with entire freedom. He said, at one period in the conversation, ‘he hoped gentlemen would bear in mind that he was not speaking as President, or for the President, but only exercising the privilege of talking, which belonged to him, in common with private citizens.’

“I chose rather to be a listener than a talker, and paid careful attention both to Mr. Lincoln’s matter and manner, and although he seemed to talk without regard to the fact of his being the President, yet it was discoverable that he chose his words and framed his sentences with deliberation, and with a discretion becoming his high position.

“He was asked: ‘Do you think the Missouri Compromise line ought to be restored?’ He replied that although the recent Presidential election was a verdict of the people in favor of Freedom upon all the Territories, *yet personally he would be willing, for the sake of the Union, to divide the Territory we now own by that line, if, in the judgment of the nation, it would save the Union and restore harmony.* But whether the acquisition of Territory hereafter would not reopen the question and renew the strife, was a question to be thought of, and, in some way, provided against.

“He had been inquired of, whether he intended to recommend the repeal of the Anti-Fugitive Slave laws of the States? He replied that he had never read one of them, but that if they were of the character ascribed to them by Southern men, *they certainly ought to be repealed.* Whether as President of the United States he ought to interfere with State legislation by Presidential recommendation, required more thought than he had yet given the subject. He had also been

asked if he intended to interfere or recommend an interference with Slavery, or the right of holding slaves in the dock-yards and arsenals of the United States? His reply was: ‘Indeed, Sir, *the subject has not entered my mind.*’ He was inquired of whether he intended to recommend the abolition of Slavery in the District of Columbia? to which he replied: ‘Upon my word, *I have not given the subject a thought.*’ A gentleman present said to him: ‘Well, Mr. Lincoln, suppose these difficulties should not be settled before you are inaugurated, what will you do?’ He replied with a smile: ‘Well, I suppose I will have to run the machine as I find it.’

“In speaking on the subject of a compromise, he said: ‘It was sometimes better for a man to pay a debt he did not owe, or to lose a demand which was a just one, than to go to law about it; but then, in compromising our difficulties, he would regret to see the victors put in the attitude of the vanquished, and the vanquished in the place of the victors.’ He would not contribute to any such compromise as that.

“It was discernible in the course of Mr. L.’s conversation that he only appreciates the difficulties which threaten his incoming Administration; also, that he regarded himself as grossly misrepresented and misunderstood at the South; nor did he conceal what was manifestly an invincible conviction of his honest and intelligent mind, that if the South would only give him a fair trial they would find their constitutional rights as safe under his Administration as they had ever been under the administration of any President.”

It will be interesting to learn Mr. Buchanan’s views at this time. His corres-

Mr. Buchanan’s
Views.

pondence with Col. Hayne—published in the Charleston papers of February 4th, and the message to Congress, February 8th, enclosing other and further correspondence with the Commissioners—give us a clear exposition of the President’s policy, so far as he had a policy. The Message to Congress will be given in its proper order. From the correspondence given in the Charleston papers we may quote such portions as have become part of the history of the events regarding the mission of

Colonel Hayne and the President's position thereon.

The preliminary correspondence attending the affair of the *Star of the West* has been given. [See pages 216-18]. The further communications, referring the matter to the President, and his Executive views are as follows :

MAJOR ANDERSON TO GOV. PICKENS.

"HEADQUARTERS, FORT SUMTER, S. C., }
"January 11, 1861.

"To his Excellency F. W. Pickens, Governor of South Carolina :

"SIR: I have the honor to acknowledge the receipt of your demand for the surrender of this fort to the authorities of South Carolina, and to say, in reply, that the demand is one with which I cannot comply. Your Excellency knows that I have recently sent a messenger to Washington, and that it will be impossible for me to receive an answer to my dispatches, forwarded by him, at an earlier date than next Monday. What the character of my instructions may be, I cannot foresee.

"Should your Excellency deem fit, prior to a resort to arms, to refer this matter to Washington, it would afford me the sincerest pleasure to depute one of my officers to accompany any messenger you may deem proper to be the bearer of your demand.

"Hoping to God that in this, and all other matters in which the honor, welfare, and lives of our fellow countrymen are concerned, we shall so act as to meet His approval; and, deeply regretting that you have made a demand of me with which I cannot comply,

"I have the honor to be, with the highest regard,

"Your obedient servant,

"ROBERT ANDERSON,

"Major U. S. A., Commanding."

GOVERNOR PICKENS TO THE PRESIDENT.

"STATE OF SOUTH CAROLINA, EXECUTIVE }
OFFICE, HEADQUARTERS, CHARLESTON, }
January 11, 1861.

"SIR: At the time of the separation of South Carolina from the United States, Fort Sumter was, and still is, in the possession of troops of the United States, under the command of Major Anderson. I regard that possession as not consistent with the dignity or safety of the State of South Carolina; and I have this day addressed to Major Anderson a communication to obtain from him the possession of that fort by the authorities of this State. The reply of Major Anderson informs me that he has no authority to do what I required; but he desires a reference of the demand to the President of the United States.

"Under the circumstances now existing, and

which need no comment by me, I have determined to send to you the Hon. I. W. Hayne, the Attorney-General of the State of South Carolina, and have instructed him to demand the delivery of Fort Sumter, in the harbor of Charleston, to the constituted authorities of the State of South Carolina.

"The demand I have made of Major Anderson, and which I now make of you, is suggested because of my earnest desire to avoid the bloodshed which a persistence in your attempt to retain the possession of that fort will cause, and which will be unavailing to secure you that possession, but induce a calamity most deeply to be deplored.

"If consequences so unhappy shall come, I will secure for this State, in the demand which I now make, the satisfaction of having exhausted every attempt to avoid it.

"In relation to the public property of the United States within Fort Sumter, the Hon. I. W. Hayne, who will hand you this communication, is authorized to give you the pledge of the State that the valuation of such property will be accounted for by this State, upon the adjustment of its relations with the United States, of which it was a part.

(Signed)

"F. W. PICKENS.

"To the President of the United States."

THE COMMISSIONER'S INSTRUCTIONS.

"STATE OF SOUTH CAROLINA, }
EXECUTIVE OFFICE, STATE DEPARTMENT, }
CHARLESTON, January 12, 1861.

"SIR,—The Governor has considered it proper, in view of the grave questions which now affect the State of South Carolina and the United States, to make a demand upon the President of the United States for delivery to the State of South Carolina of Fort Sumter, now within the territorial limits of this State, and occupied by troops of the United States.

"The Convention of the People of South Carolina, authorized and empowered its Commissioners to enter into negotiations with the Government of the United States, for the delivery of forts, magazines, lighthouses, and other real estate, within the limits of South Carolina.

"The circumstances which caused the interruption of that negotiation are known to you; with the formal notification of its cessation, was the urgent expression of the necessity for the withdrawal of the troops of the United States from the harbor of Charleston.

"The interruption of these negotiations left all matters connected with Fort Sumter and troops of the United States, within the limits of this State, affected by the fact, that the continued possession of the fort was not consistent with the dignity or safety of the State, and that an attempt to reenforce

The Commissioner's
Instructions.

the troops at that fort would not be allowed. This, therefore, became a state of hostility, in consequence of which the State of South Carolina was placed in a condition of defence. During the preparation for this purpose, an attempt was made to reinforce Fort Sumter and repelled.

"You are now instructed to proceed to Washington, and there, in the name of the Government of the State of South Carolina, inquire of the President of the United States, whether it was by his order that troops of the United States were sent into the harbor of Charleston to reinforce Fort Sumter; if he avows that order, you will then inquire, whether he asserts a right to introduce troops of the United States within the limits of this State, to occupy Fort Sumter; and you will, in case of his avowal, inform him that neither will be permitted; and either will be regarded as his declaration of war against the State of South Carolina.

"The Governor, to save life, and determined to omit no course of proceeding usual among civilized nations, previous to that condition of general hostilities which belongs to war; and not knowing under what order, or by what authority Fort Sumter is now held, demanded from Major Robert Anderson, now in command of that fort, its delivery to the State. That officer, in his reply, has referred the Governor to the Government of the United States at Washington. You will, therefore, demand from the President of the United States the withdrawal of the troops of the United States from that fort, and its delivery to the State of South Carolina.

"You are instructed not to allow any question of property claimed by the United States to embarrass the assertion of the political right of the State of South Carolina to the possession of Fort Sumter. The possession of that fort by the State, is alone consistent with the dignity and safety of the State of South Carolina; but such possession is not inconsistent with a right to compensation in money in another Government, if it has against the State of South Carolina any just claim connected with that fort. But the possession of the fort cannot, in regard to the State of South Carolina, be compensated by any consideration of any kind from the Government of the United States, when the possession of it by the Government is invasive of the dignity and affects the safety of the State. That possession cannot become now a matter of discussion or negotiation. You will, therefore, require from the President of the United States a positive and distinct answer to your demand for the delivery of the fort. And you are further authorized to give the pledge of the State to adjust all matters which may be, and are, in their nature, susceptible of value in money, in the

manner most usual, and upon the principles of equity and justice always recognized by independent nations, for the ascertainment of their relative rights and obligations in such matters.

"You are further instructed to say to the President of the United States, that the Governor regards the attempt of the President of the United States, if avowed, to continue the possession of Fort Sumter, as inevitably leading to a bloody issue; a question which, in the judgment of the Governor, can have but one conclusion; reconcilable with a due regard to the State of South Carolina, the welfare of the other States which now constitute the United States, and that humanity which teaches all men, but particularly those who, in authority, control the lives of others to regard a resort to arms as the last which should be considered.

"To shed their blood in defense of their rights is a duty which the citizens of the State of South Carolina fully recognize. And in such a cause, the Governor, while deploring the stern necessity which may compel him to call for the sacrifice, will feel that his obligation to preserve inviolate the sacred rights of the State of South Carolina justify the sacrifice necessary to secure that end. The Governor does not desire to remind the President of the responsibilities which are upon him.

"Respectfully,

"Your obedient servant,

"A. G. MAGRATH.

"To the Hon. I. W. HAYNE, Special Envoy from the State of South Carolina to the President of the United States."

Then followed, in the Charleston papers, letters from United States Senators Wigfall, Hemphill, Davis, Slidell, Benjamin and others, to the Hon. I. W. Hayne, requesting him to exert his influence to postpone an attack upon Fort Sumter. They also addressed a similar letter to the President, to which the following reply was made through the Secretary of War, Joseph Holt:

SECRETARY HOLT'S REPLY FOR THE PRESIDENT.

"WAR DEPARTMENT, January 22, 1861.

"To the Hon. Benjamin Fitzpatrick, S. R. Mallory, and John Slidell:

"GENTLEMEN: The President has received your communication of the 19th instant, with the copy of a correspondence between yourselves and others, 'representing States which have already seceded from the United States, or will have done so before the first of February next,' and Colonel Isaac W.

The Commissioner's
Instructions.

Secretary Holt's
Reply.

Hayne, of South Carolina, in
behalf of the Government of
that State, in relation to Fort

Sumter; and you ask the President to take into consideration, the subject of that correspondence." With this request he has complied, and has directed me to communicate his answer:-

"In your letter to Col. Hayne of the 15th inst., you propose to him to defer the delivery of a message from the Governor of South Carolina to the President, with which he has been intrusted, for a few days, or until the President and Col. Hayne shall have considered the suggestions which you submit. It is unnecessary to refer specially to these suggestions, because the letter addressed to you by Col. Hayne, of the 17th inst., presents a clear and specific answer to them. In this he says: 'I am not clothed with power to make the arrangement you suggest; but provided you can get assurances, with which you are entirely satisfied, that no reinforcements will be sent to Fort Sumter, in the interval, and that the public peace will not be disturbed by any act of hostility toward South Carolina, I will refer your communication to the authorities of South Carolina, and, withholding the communication with which I am at present charged, will await further instructions.'

"From the beginning of the present unhappy troubles, the President has endeavored to perform his executive duties in such a manner as to preserve the peace of the country, and to prevent bloodshed. This is still his fixed purpose. You, therefore, do him no more than justice in stating that you have assurances (from his public messages, I presume,) that, 'notwithstanding the circumstances under which Major Anderson left Fort Moultrie, and entered Fort Sumter with the forces under his command, it was not taken, and is not held with any hostile or unfriendly purpose toward your State, but merely as property of the United States, which the President deems it his duty to protect and preserve,' you have correctly stated what the President deems to be his duty. His sole object now is, and has been, to act strictly on the defensive, and to authorize no movement against the people of South Carolina, unless clearly justified by a hostile movement on their part. He could not have given a better proof of his desire to prevent the effusion of blood, than by forbearing to resort to the use of force, under the strong provocation of an attack (happily without a fatal result) on an unarmed vessel bearing the flag of the United States.

"I am happy to observe that, in your letter to Col. Hayne, you express the opinion, that it is 'especially due from South Carolina to our States, to say nothing of other Slaveholding States, that he

should, as far as she can consistently with her honor, avoid initiating hostilities between her and the United States, or any other power.' To initiate such hostilities against Fort Sumter, would, beyond question, be an act of war against the United States.

"In regard to the proposition of Col. Hayne, 'that no reinforcements will be sent to Fort Sumter, in the interval, and that the public peace will not be disturbed by any act of hostility toward South Carolina,' it is impossible for me to give you any such assurances. The President has no authority to enter into such an agreement or understanding. As an executive officer, he is simply bound to protect the public property, so far as this may be practicable; and it would be a manifest violation of his duty either for an indefinite or a limited period. At the present moment, it is not deemed necessary to reinforce Major Anderson, because he makes no such request, and feels quite secure in his position.—Should his safety, however, require reinforcements, every effort will be made to supply them.

"In regard to an assurance from the President 'that the public peace will not be disturbed by any act of hostility toward South Carolina,' the answer will readily occur to yourselves. To Congress, and to Congress alone, belongs the power to make war, and it would be an act of usurpation for the Executive to give any assurance that Congress would not exercise this power, however strongly he may be convinced that no such intention exists.

"I am glad to be assured, from the letter of Colonel Hayne, that 'Major Anderson and his command do now obtain all necessary supplies, including fresh meat and vegetables, and, I believe, fuel and water from the city of Charleston, and do now enjoy communication, by post and special messenger, with the President, and will continue to do so, certainly, until the door to negotiation has been closed.' I trust that these facilities may still be afforded to Major Anderson. This is as it should be. Major Anderson is not menacing Charleston; and I am convinced that the happiest result which can be attained is, that both he and the authorities of South Carolina shall remain on their present amicable footing, neither party being bound by any obligations whatever, except the high Christian and moral duty to keep the peace, and avoid all causes of mutual irritation.

"Very respectfully your obedient servant,

"J. HOLT,

"Secretary of War, *ad interim*."

A dispatch from Springfield, dated January 27th, advised the country that Mr. Lincoln approved the design of the Virginia "Peace Congress." It said:—"Telegraphic advices

have been received by Gov. Yates from the Governors of New York, Pennsylvania, and other Northern States, suggesting the propriety of joining in a Convention, to be held at Washington in February, to devise proper remedies for the adjustment of the present difficulties. The appointment of five Commissioners from each State is recommended. Gov. Yates has finally decided to join in the movement. In this, it is supposed, he has acted upon the advice of Mr. Lincoln."

The States, as stated, quite generally approved of the Virginia suggestions and appointed Commissioners. The appointments made indicated that it would embody the most trusty and able men in each State, though, it is but stating a generally accepted opinion, little hopes were entertained of anything being accomplished of a definitive or satisfactory nature.

South Carolina's Rejection of Virginia's Offer. South Carolina's response (January 28th), to the proposition of Virginia was so characteristic that we may give it at length:—

"Resolved unanimously, That the General Assembly of South Carolina tender to the Legislature of the State of Virginia their acknowledgments of the friendly motives which inspired the mission intrusted to the Hon. Judge Robertson, her Commissioner. Adopted unanimously.

"Resolved unanimously, That candor, which is due to the long continued sympathy and respect which has subsisted between Virginia and South Carolina, induces this Assembly to declare with frankness, that they do not deem it advisable to initiate negotiations when they have no desire or intention to promote the ultimate object in view—that object being, as declared in the resolution of the Virginia Legislature, the procurement of amendments or new guaranties to the Constitution of the United States. Adopted unanimously.

"Resolved unanimously, That the separation of South Carolina from the Federal Union is final, and she has no further interest in the Constitution of the United States, and that the only appropriate negotiations between her and the Federal Government are as to their mutual relations as foreign States. Adopted unanimously.

"Resolved unanimously, That this Assembly further owe it to the friendly relations with the State of Virginia, to declare that they have no confidence in the Federal Government of the United States; that the most solemn pledges of that Government have been disregarded; that, under the pretence of preserving property, hostile troops have been attempted to be introduced into one of the fortresses of this State, concealed in the hold of a vessel of commerce, with a view to subjugate the people of South Carolina, and that ever since the authorities at Washington have been informed of the present mediation of Virginia, a vessel of war has been sent to the South, with troops and munitions of war concentrated on the soil of Virginia. Adopted unanimously.

"Resolved unanimously, That in these circumstances this Assembly, with renewed assurance of cordial respect and esteem for the people of Virginia, and high consideration for her Commissioner, decline entering into the negotiations proposed by both branches of the Virginia Legislature. Adopted unanimously."

Much opposition was manifested, by some State Legislatures, in sending Commissioners to the Congress. The Massachusetts legislators were divided, two reports being submitted—the majority approving, the minority disapproving, representation in the Congress. Ohio instructed its deputation to vote for a postponement of the Congress to April 4th. Illinois, although, as stated, she resolved to send delegates, did not do so until after several days of wordy dissension. The opposition arose from a disinclination to prosecute compromise further, until after Mr. Lincoln's safe and peaceful inauguration. Her State pride was insulted to think that their fellow-citizen, constitutionally elected, should be compelled to submit to the indignities threatened. Governor Yates, as heartily as any one, wished for peace; but he preferred that it should not be dictated in opprobrious terms, nor in a spirit of intimidation. Mr. Lincoln, it was said, advised the sending of Commissioners, and they were sent. This advice did not commit him to compromise—he simply proved his willingness to have all means tried for affecting a settlement of National troubles.

CHAPTER XVIII.

PROCEEDINGS OF CONGRESS CONTINUED. EIGHTH WEEK. IMPORTANT AND EXCITING WEEK. WITHDRAWAL SPEECHES OF JEFFERSON DAVIS, YULEE, CLAY, ETC. CORWIN'S SPEECH IN SUPPORT OF HIS REPORT. SPEECHES OF BIGLER, CLEMENS, ETHERIDGE, NELSON, RUST, GILMER, AND OTHERS.

THE Session of the Senate for the 8th week, (January 21-26,) opened with speeches from the withdrawing Senators, viz: Yulee and Mallory, of Florida; Clay and Fitzpatrick, of Alabama; and Davis, of Mississippi. Prior to this withdrawal, Mr. Hunter, of Virginia, asked to be excused from any further service on the Finance Committee, remarking that, in view of the withdrawal of Southern Senators, the majority would pass into the hands of their opponents; he therefore thought justice to himself and to the Senate required that he should be permitted to retire. His labors, as Chairman of that important Committee, had extended through a term of fifteen years. His ability, prudence and probity had rendered his country invaluable service. He was excused.

Mr. Polk, (Dem.,) of Missouri, then presented a petition of citizens of his State, whose signatures filled fifteen quires of foolscap paper. The roll was wrapped in the American flag, inscribed, "Love to the North, South, East and West." The petitioners asked the passage of the Crittenden resolutions. It was laid on the table.

Slidell, of Louisiana, moved that the Senate take up the message of the President in answer to his resolution in relation to his appointment of Acting Secretary of War. He also offered a resolution as follows:

"*Resolved*, That in the opinion of the Senate, the reasons given by the President, in his message, for not communicating to the Senate at an early day the fact of his having appointed Joseph Holt Acting Secretary of War.

"*Also resolved*, That the grounds assumed by the President for making such an appointment during

the session of the Senate, are at variance with the whole spirit of the Constitution, and with the true intent and meaning of the act of 1795."

The Seceding Senators then claimed the floor for their parting salutations. Yulee, of Florida, rose to say that, in view of authentic information from his State, his colleague and himself deemed it proper to announce to the Senate that their connection with this body had Yulee's Valedictory. come to an end. The State of Florida, in Convention duly assembled, has seen fit to recall the powers delegated to the Union, and to assume the responsibility of separate Government. He was sure the people of Florida would never be insensible to the blessings and advantages of the Union when directed to the purpose of establishing justice, and domestic tranquillity, and safety. They would also hold in grateful memory the earlier history of the Union. But, they had decided that their civil and social safety were jeopardized by a longer continuance in the Union. Recent events had impressed them with the belief that there is no safety except in withdrawal. They would remember always the large array of noble spirits at the North, and their efforts to uphold the right. With grateful emotions and acknowledgements for the many courtesies he had enjoyed in this body, and with most cordial wishes, he retired from their midst in cheerful approving loyalty to his own State.

Mallory, of the same State, followed. He regretted, more than words could tell, the course of events which had compelled the disseverance of the Union. But one course had been left for the injured States to pur-

sue—to withdraw from a Confederacy which had failed of its intent and great truths. He said: “Many difficulties will arise—among them one which I am not ashamed to say I dread, that is civil war. But whatever danger

Mallory's Benediction.

may come upon us, we are a united people. Yet I implore, I entreat, and

pray you not to mistake the facts and force us into war. The South will never submit to the last degradation of a constrained existence under a violated Constitution. We do not seek to conquer you, and we know you could never conquer us. But if, in a moment of pride and infatuation, you should imbrue your hands in our blood, there will be such a contest as was never seen before. In thus leaving the Senate to return to my own State, there to serve her with unfaltering head and heart, I am very happy to acknowledge ten thousand acts of courtesy and kindness which I have received from Senators on the opposite side, and which I shall remember through life, and to whom I am indebted for much which I shall not only cherish, but recall with pleasure. And, Sir, in parting on this side from true and tried friends, the noble representatives of the free people of the North, who are true to themselves—the noble champions of truth and justice—it is not strange that we should feel, that whatever the future may have in store for us, it will be brightened by the recollection of the loyalty and many acts of friendship which have characterized our intercourse, and which, in my judgment, will bind them to us by ties of kindness for ever.”

Clay, of Alabama, then extended his advice to the Hall in the following terms:

“I rise to announce, for my colleague and myself, that the people of Alabama have adopted

an Ordinance of Separation, and that they are all in favor of withdrawing from the Union. I wish it to be understood that this is the act of the people of Alabama, in taking this momentous step. It is nearly forty-two years since Alabama came into this Union. She entered it amid violence and excitement, caused by the hostility of the North against the institution of Slavery at the South. It is this same spirit of hostility at the North which has effected the secession of Mississippi, South Carolina, Georgia, Florida, and Alabama. It has denied

Christian communication, because it could not endure what it styles the leprosy of Slavery.

Clay's Adieu.

It refuses us permission to pass through the North with our property, in violation of the Constitution and the laws of Congress, designed to protect that property. It has refused us any share in the lands acquired mainly by our diplomacy, our blood, and our treasure. It has robbed us of our property, and refused restoration. It has refused to deliver up criminals against our laws, who fled to the North with our property, or with blood upon their hands, and it threatened us with punishment, and murdered Southern men who attempted the recovery of their property. It invaded the borders of Southern States, burned the dwellings and murdered the families. Habitual violators of the rights of humanity, they have exhausted all that human ingenuity can devise, and all that diabolical malice can invent, to heap indignity upon us, and make us a by-word, a hissing, and a scorn throughout the civilized world. Yet we bore all this for many years, and might have borne it many years longer, under the oft-repeated assurance and fondly cherished hope that these things were not the action and feeling of a majority, but a minority party. But the failure of these promises and our hopes have conclusively proved to us that there is no hope. The platform of the Republican party we regard as a declaration of war against the lives and institutions of the Southern people. It not only reproaches us as unchristian and heathenish, and imputes to us a sin and crime, but adds words insulting and hostile to our domestic tranquillity. In its declaration that our negroes are entitled to liberty and equality with white men, it is in spirit, if not in fact, a strong incitement to insurrection, arson, murder, and other crimes. And, to aggravate the insult, the same platform denies us equality with Northern white men or free negroes, and brands us as an inferior race. To cap the climax of insult to our feelings, and this menace to our rights, this party nominated for the Presidency a man who not only indorsed the platform, and promised to enforce its principles, but disregards the judgments of your Courts, the obligations of your Constitution, and the requirements of his oath, by approving any bill to prohibit Slavery in the Territories of the United States. A large majority of the Northern people have declared their approval of the platform, and candidates of that party in the late election. It is the solemn verdict of the people of the North that the Slaveholding communities of the South are to be outlawed, and branded with ignominy, and consigned to execration and ultimate destruction. Sir, are we looked upon as more or less than men? Is it expected that we will or can exercise that god-like

Clay's Adieu.

virtue that beareth all things,
believeth all things, hopeth all
things, endureth all things

Clay's Adieu.

which tells us to love our enemies, and bless them that curse us? Are we expected to be denied the sensibilities, the sentiments, the passions, the reason, the instincts of men? Have not we pride and honor? Have we no sense of shame, no reverence for our ancestors, and care for our posterity? Have we no love of home, of family, of friends? Must we confess our baseness, discredit the fame of our sires, dishonor ourselves, and degrade our posterity, abandon our homes, flee our country—all, all for the sake of Union? Must we agree to live under the ban of our own Government? Must we acquiesce in the inauguration of a President chosen by confederate but hostile States, whose political faith constrains him to deny us our constitutional rights? Must we consent to live under a Government which we believe will henceforth be administered by those who not only deny us justice and equality, but brand us as inferiors?—whose avowed principles and policy must destroy our domestic tranquillity and imperil the lives of our wives and children, and ultimately destroy our States? Must we live by choice, or compulsion, under the rule of those who present us the alternative of an irrepressible conflict in defence of our altars and firesides, or the manumission of our slaves, and their admission to social equality? No, sir, never, never! The free men of Alabama have proclaimed to the world that they will not, and have proven their sincerity by seceding from the Union, and braving all the dangers of a separate and independent nation among the powers of the earth. As a true and loyal citizen of that State, approving of her action, acknowledging entire allegiance, and feeling that I am absolved by her act from all my obligations to support the Constitution of the United States, I withdraw from this body, intending to return to the bosom of my mother, and share her fate, and maintain her fortunes."

Mr. Fitzpatrick, of the same State, approved the words and endorsed the sentiments of his colleague, and announced his withdrawal from the Senate. He was succeeded by Jefferson Davis, of Mississippi, whose remarks had excited some expectancy of bitterness. The report of his brief speech of defence, justification and adieu, read:

Jeff. Davis'
Parting Salutation.

"I rise for the purpose of
announcing to the Senate that

I have satisfactory evidence that the State of Mississippi, by solemn ordinance in Convention assembled, has declared her separation from the United States. Under these circumstances, of course, my functions terminate here. It

has seemed to be proper that I
should appear in the Senate and
announce that fact, and say

something, though very little, upon it. The occasion does not invite me to go into the argument, and my physical condition will not permit it; yet something would seem to be necessary, on the part of the State I here represent, on an occasion like this. It is known to Senators who have served here that I have for many years advocated, as an essential attribute of State sovereignty, the right of a State to secede from the Union. If, therefore, I had not believed there was justifiable cause—if I had thought the State was acting without sufficient provocation—still, under my theory of government, I should have felt bound by her action. I, however, may say I think she had justifiable cause, and I approve of her acts. I conferred with the people before that act was taken, and counselled them that if they could not remain that they should take the act. I hope none will confound this expression of opinion with the advocacy of the right of a State to remain in the Union, and disregard its constitutional obligations by nullification. Nullification and secession are indeed antagonistic principles. Nullification is the remedy which is to be sought and applied, within the Union, against an agent of the United States, when the agent has violated constitutional obligations, and the State assumes for itself, and appeals to other States to support it. But when the States themselves, and the people of the States, have so acted as to convince us that they will not regard our constitutional rights, then, and then for the first time, arises the question of secession, in its practical application. That great man who now reposes with his fathers, who has been so often arraigned for want of fealty to the Union, advocated the doctrine of nullification, because it preserved the Union. It was because of his deep-seated attachment to the Union that Mr. Calhoun advocated the doctrine of nullification, which he claimed would give peace within the limits of the Union, and not disturb it, and only be the means of bringing the agent before the proper tribunal of the States for judgment. Secession belongs to a different class of rights, and is to be justified upon the basis that the States are sovereign. The time has been, and I hope the time will come again, when a better appreciation of our Union, will prevent any one denying that each State is a sovereign in its own right. Therefore, I say I concur in the act of my State, and feel bound by it. It is by this confounding of nullification and secession that the name of another great man has been invoked to justify the coercion of a Seceding State. The phrase 'to execute the law,' as used by General Jackson, was applied to a State refusing to obey

Clay's Adieu.

the laws and still remaining in the Union. I remember well when Massachusetts was arraigned before the Senate. The record of that occasion will show that I said, if Massachusetts, in pursuing the line of steps, takes the last step which separates her from the Union, the right is hers, and I will neither vote one dollar nor one man to coerce her; but I will say to her, "God speed!"

"Mr. Davis then proceeded to argue that the equality spoken of in the Declaration of Independence was the equality of a class in political rights, referring to a charge against George III. for inciting insurrection, as a proof that it had no reference to the slaves. But we have proclaimed our independence. This is done with no hostility or any desire to injure any section of the country, nor even for our pecuniary benefit, but from the high and solid foundation of defending and protecting the rights we inherited, and transmitting them unshorn to our posterity. I know I feel no hostility to you Senators here, and am sure there is not one of you, whatever may have been the sharp discussion between us, to whom I cannot now say, in the presence of my God, I wish you well. And such is the feeling, I am sure, the people I represent feel toward those whom you represent. I, therefore, feel I but express their desire when I say I hope, and they hope, for those peaceful relations with you, though we must part, that may be mutually beneficial to us in the future. There will be peace if you so will it, and you may bring disaster on every part of the country if you thus will have it. And if you will have it thus, we will invoke the God of our fathers, who delivered them from the paw of the lion, to protect us from the ravages of the bear; and thus, putting our trust in God, and our own firm hearts and strong arms, we will vindicate and defend the rights we claim. In the course of my long career, I have met with a great variety of men here, and there have been points of collision between us. Whatever of offense there has been to me, I leave here. I carry no hostile feelings away. Whatever of offense I have given, which has not been redressed, I am willing to say to Senators, in this hour of parting, I offer you my apology for anything I may have done in the Senate, and I go thus released from obligations, remembering no injury I have received, and having discharged what I deem the duty of man, to offer the only reparation at this hour for every injury I have ever inflicted."

The five Senators then rose to withdraw, when the Democratic members, and those from the still represented Slave States, arose to extend the hand of fellowship in parting. Messrs. Hale, of N. H., and Cameron, of Pa., were the only Republicans who volunteered their adieus.

The Kansas bill was called up by Mr. Seward, and put upon its passage. After

The Kansas bill
Passed.

the adoption of the amendment of Fitch, (Dem.,) of Indiana, in regard to a Judicial District, the bill for the admission of Kansas as a Free State, passed by the following vote:

"YEAS—Messrs. Anothony, Baker, Bingham, Bigler, Bright, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Fitch, Foster, Grimes, Hale, Harlan, Johnson (Tenn.), King, Latham, Morrill, Pugh, Rice, Seward, Simmons, Sumner, Ten Eyck, Thomson, Trumbull, Wade, Wilkinson, Wilson—36.

"NAYS—Messrs. Bayard, Benjamin, Clingman, Green, Hemphill, Hunter, Iverson, Johnson (Ark.), Kennedy, Mason, Nicholson, Polk, Powell, Sebastian, Slidell, Wigfall—16.

The Crittenden (revised)

resolutions were then called up by Mr. Bigler, who pro-

Bigler's Speech.

ceeded to address the Senate at length, urging their adoption as the only balm for the sore distemper of the times. He held that it was the *right of the people* to amend or alter the provisions of the Constitution. He forcibly adverted to the history of the country, which, from thirteen small States, by *Union*, had risen to its present proud position of greatness. He reviewed the danger in which it now stands of disruption and ruin, and to the events that have added exasperation to exasperation in both sections, and until the South has come to the belief that its only safety lies in eternal separation. He then referred to the compromise of 1820, which gave peace to the country till 1850, when another compromise was effected. Then the Anti-Slavery party sprung up and our troubles began. The raid of John Brown upon Virginia, the indorsement of the Helper book, the doctrine of the "irrepressible conflict," and abuse of the Southern people followed, until at last a President was elected who affirmed and proclaimed these doctrines. Now South Carolina, Mississippi, Alabama, Georgia, and Florida have seceded from the Union. Such is the distracted condition of the country, and our mission now should be to restore peace—such a peace as would send the old spirit and vitality into all the channels of commerce and society. The gentleman earnestly argued the *necessity*, as well as great propriety of a Convention of the people to

consider amendments to the Constitution. He urged Senators on the other side to consider the necessity of passing these or similar resolutions. In reply to arguments against the resolutions he would say that these are extraordinary times, and demand extraordinary measures. He earnestly appealed to the Southern States to pause and consider if they could not obtain their rights in the Union. He claimed that the Territories ought to be opened to all the people of all the States. The country must maintain the Constitution, and accept the meaning of the tribunal who has the right to expound it. It was a fatal day for the country when a sectional party was formed. Disguise it as we may, the Republican party has for its basis hostility to Slavery. One of the great difficulties is the abuse and insult heaped on the Southern people. They declared war against secession, and yet believed redress for the alleged grievances should be sought at the hands of all the people. He believed the laws should be maintained on this point. He agreed with the Senator from Illinois (Douglas), yet how could we coerce a State? It would be war against fifteen States. Coercion was delusion. He referred to the troubles which fall mostly on the Border States, and closed by expressing fidelity to his own State, whose sentiments he claimed to represent.

Cameron, of Pennsylvania, followed in a few remarks, to say that it was the other side of the Senate which would not accept the olive branch held out to them. He would vote for the propositions—would do anything to save the Union. Being catechised by Green, of Mo., and Iverson, of Geo., Mr. Cameron said he approved of the propositions so far as to be willing to vote for them, and asked the Southern members to do the same. His views of coercion were expressed by saying it was a bad remedy—that he did not know if, indeed, he should ever resort to it—certainly it was the last remedy he should adopt.

Mason, of Virginia, referred to the fact that the Senator had voted against the Crittenden resolutions, and for the amendment of the Senator from New Hampshire (Mr. Clark), and that the Senator from Ohio (Mr.

Wade) presented resolutions of his State, one of which was against the Personal Liberty bills, while the House of Representatives of Ohio refused to repeal one such law. He wanted to show to the people of his State and the country the difference between *profession* and *practice* here.

Mr. Cameron said the Senator from Virginia seemed to be anxious for the excuse to leave the Union. He (Cameron) had voted as he did, because he saw no disposition to compromise on the other side, unless he went on bended knees and asked forgiveness. He should ask no forgiveness, because he had done no wrong, but still he was willing to forgive the backslidings of the South, and do all he could to preserve the Union. But he was not to be dragooned or driven. He was the peer and equal of the Senator from Virginia.

Mr. Mason said he was unconscious of having said anything to arouse the wrath of the Senator from Pennsylvania. He (Mason) did not want an excuse for leaving the Union. If he wanted any excuse it was to know how to remain in the Union. He had seen to-day six Senators taking formal leave of the Senate and he knew the Union was dissolved, absolutely dissolved. Senators may not recognize the dissolution, but that will not alter the fact. States are gone, and the chairs of their Senators are vacant. What is the remedy? Coercion! Would you use the discipline the pedagogue inflicts on an urchin at school? The Constitution was against coercion, and humanity and the civilized world were against it. We cannot make war unless we change the laws, and we cannot change the laws unless we violate the Constitution. But the question of peace or war was in the hands of the majority. The South deplored war because of the consequences, not from fear; and if it were forced on them it would be such a war as the world had never seen. The only excuse he wanted was to remain in the Union, and would to God the Senator from Pennsylvania would give him such excuse.

Mr. Cameron said he had not heard of any threats of war, but if it must come Pennsylvania was ready to meet it. The people of his State were ready to do anything honorable to save the Union—were willing to

yield their prejudices. The North has committed no aggression, no wrong, and you can't drive them by bullying them. If you want the Union preserved, let us know what wrong we have committed, and we will redress it.

Mr. Saulsbury, of Del., looked at the remarks of the Senator from Pennsylvania as an omen of good. He believed the Senator was sincere; and though four or five States have gone, if his side will meet the Senator in the same spirit the Union will still remain. He invoked the Senators to imitate the spirit of the Senator from Pennsylvania.

Mr. Crittenden urged action on this important measure, and spoke against any postponement. He expressed the hope that the Union might remain a long time yet, and the States be reunited.

The Senate adjourned without a vote.

In the House, Monday, (January 21,) was an eventful day. Lovejoy, of Ill., presented a memorial from certain Methodist clergymen, of Illinois. Burnett, of Ky., objected to its reception in a tone of great insolence, saying, "let the preachers attend to their own business." He thought Congress was capable of managing its legislation without their aid. Lovejoy remarked, with a tone of keen sarcasm, that the memorial only asked that clergymen should be protected in attending to their own business. One Methodist preacher had been hanged in Texas, simply for attending to his own business. It was to be permitted to attend to their own business that they had been constrained to memorialize this Congress which was so capable of managing its own business. The memorial, under the objection, was laid on the table. Its introduction served to illustrate the hateful feelings which the Southern Secession members entertained for all "Northern emissaries." The incident referred to by Mr. Lovejoy, of a Methodist minister having been hung, simply for declaring Slavery a sin in the sight of God, was only one of several executions which, ere long, followed, in Texas, for the same cause.

Withdrawal of Alabama-
bambians.

The Alabama Representatives announced their withdrawal, in the following communication, which was read by the Clerk:

"WASHINGTON CITY, Jan. 21, 1861.

"To the Hon. WM. PENNINGTON, Speaker of the House of Representatives:

"Sir: Having received information that the State of Alabama, through a Convention representing her sovereignty, have adopted and ratified an ordinance by which she withdraws from the Union of the United States of America, and resumes the powers heretofore delegated to the Federal Government, it is proper that we should communicate the same to you, and through you to the House of Representatives over which you preside, and announce our withdrawal from the further deliberations of that body. The causes which, in the judgment of our State, rendered such action necessary, we need not relate. It is sufficient to say that duty requires our obedience to her sovereign will, and that we shall return to our homes, sustain her action, and share the fortunes of our people.

"We have the honor to be, very respectfully your obedient servants,

(Signed)

GEORGE S. HOUSTON,
SUYDENHAM MOORE,
DAVID CLOPTON,
JAMES S. PUGH,
J. L. M. CURRY,
JAMES A. STALLWORTH."

Schuyler Colfax, (Rep.,) of Ind., introduced the following bill in regard to mail service in the revolutionary States:—

"Whereas, In several of the States of this Union the Judges, District Attorneys, and Marshals commissioned by the United States for said States have resigned their offices, and it appears impracticable in consequence of the revolutionary proceedings therein to fill the vacancies thus created; and,

"Whereas, The Government of the United States is thus without any means of collecting or enforcing in such States the payment of the postal revenues from the offices collecting the same, or of punishing violations of the postal laws committed by robberies of the mail or otherwise, or of enforcing the performance of mail contracts:

"Therefore, Be it enacted, etc., That in all States which are, or may hereafter be situated as above, the Postmaster-General is hereby directed to discontinue the postal service for such period of time as in his judgment the public interests require, and shall report his action to Congress."

This was, after some questioning by Branch, of N. C., referred to the Post-office Committee.

Mr. English, (Dem.,) of Indiana, introduced a preamble setting forth, that in the alarming condition of the country, mere differences of opinion should be discarded, and all sectional

differences removed; and believing the Crittenden plan of adjustment is an acceptable and honorable compromise, involving no sacrifice; therefore,

"Resolved, That the Select Committee of Thirty-three be instructed, without delay, to take the necessary measures to carry it into practical effect."

To get this before the House he moved a suspension of the rules. Lost, by 67 to 92. Mr. English, with some feeling, called the attention of the country to the fact that the Republicans would not allow a vote on a plan promising peace.

On motion of Mr. Morris, (Dem.,) of Ill., the Committee on Judiciary was instructed to inquire into the propriety of amending the neutrality laws so as to prevent persons of one State from fitting out military expeditions to aid persons in States which have declared themselves out of the Union, and occupy a position outside of the rightful authority and laws of the United States.

Mr. Vandever, (Rep.,) of Iowa, asked leave to offer resolutions declaring that the Federal Government has no power to interfere with Slavery in the States; that whatever may be the power of the Government relative to Slavery in the Territories, &c., it is no ground for a dissolution of the Union; that it is not expedient to amend the Constitution at this time. A government without power to maintain itself is not worthy to be preserved. He withdrew the resolutions, in view of the consideration of the report of the Committee of Thirty-three. Members on the Democratic side wished a vote and objected to their withdrawal.

The House then proceeded to the consideration of the Majority Report of the Committee of Thirty-three, when Mr. Corwin, Chairman of the Committee, proceeded to address the House in advocacy of the adoption of the Report. He had served in the House thirty years ago, and then was called upon to consider a question analogous to that now presented, of the power of a State to sit in judgment on acts of Congress, and to withdraw from the Federal Union. He little dreamed that at the close of his public career he should be called upon to legislate on a revolution created by the same State upon the same assumption. In considering

the question whether the Government had any legislative power, as it was sup-

Corwin's Speech.

posed it had, to coerce a portion of this great national combination to obey the laws of the Government of the United States, he would, so far as he could, look into the matter as a question of constitutional law. He thought gentlemen on both sides had misunderstood the facts bearing on the question, and the meaning of the word coercion, as applied to the Government. Again, they were mistaken in the supposition that all the laws that might be considered fatal to the existence of the Republic of the United States, as now constituted, might not be enforced without any attempt whatever at coercing any State taking this or that position. If it were true that a State might withdraw itself from all connection with its fellow States of the Union, it did not follow that if a State did not choose to avail itself of the benefits conferred by the Union and the laws, that each law vital to the existence of the Union, may not be enforced without disturbing the peace of that State. That is, if a State ever did withdraw all the laws might be enforced without disturbing her political relations to the general Union; and if a State should secede, whether it did so under the specious garb of State Sovereignty or not, he was unable to see how it was that any distinct number of men, combined to give force and countenance to the existence of the laws of the United States, could pass laws to make any difference in the measure of the offense, if it be an offense, denominated treason. The facts which had come to his knowledge of the course taken had been fully submitted to the Committee. Now it was supposed that the causes of the complaint which had led to this strange and eccentric movement of the Southern States either had no foundation in fact, or, if they had, these causes of complaint could be removed, and the people might hope that the public tranquillity would be restored. That brought him to the consideration of one or two topics which he would briefly present.

He then adverted to those acts and relations of the Northern States to which the Southern States took exception and offered as a justification of their revolutionary steps

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to dissolve all political connection with the Free States.

If a State passed a law unconstitutional in character, was the proper jurisdiction to determine the character of that law placed in a sovereign State. If that were so, a State would have the right to absolve itself from all allegiance, and absolve its citizens from allegiance to the Government of the United States. Undeniably, if this were the case, if this was sufficient cause for breaking up the Union, they might have a thousand reasons with as much propriety for breaking up and dissolving the Union as now. The judicial reports of the Courts over all the country were full of decisions which had declared that such and such a law of the United States was unconstitutional, and that such and such a law was null and void.

It was to meet such cases that the correcting tribunal of the United States Supreme Court was established. It was the arbiter and judge, and all State laws declared by it to be unconstitutional were, by the nature of the powers vested in that Court, null and void. It, therefore, was the judge of the propriety of Congressional and State enactments—not the States themselves. The law for the recapture and surrender of fugitive slaves was passed in 1850, and was sustained by the opinion of the Supreme Court of the United States, and the State Courts had no more to do with it than they had with the act of 1793. It must follow, as a legal consequence inevitable, that the Supreme Court of the United States, if it deem the law of 1850, or the law of 1790, as amended by that of 1850, as within the Constitution and province of Congress, it must follow that it will execute that law; and therefore every law coming in contact with any portion of the constitutional law, and interposing to its execution, must be deemed by them totally void and of no effect. When he asserted this he presumed no man, whether a lawyer or a layman, would disagree with him. If, then, any of those laws passed in the North, entered into conflict with the laws of the United States which were declared to be constitutional by the courts of the Federal Government, they were simply null and of no possible effect. The Committee had been anxious, however, to

find out what injury had, actually, resulted to the aggrieved States from the Per-

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sonal Liberty laws and the Fugitive Slave law's non-execution in consequence of these State acts. This led him to consider the question of property. He looked upon that as property which, owing a man labor, could be converted into value in goods or money. That he called property. He did not mean to say that man had property in man, but there was a relationship existing between a slave and his owner, which was recognized by the Constitution of the United States, in this, to wit—that every State recognizes the right of a master to establish his claim to his runaway slave. That relationship which existed between a man who owes labor and him to whom it was due was called Slavery. He believed that the word "slave" had been strangely perverted from its original meaning. The word "slave" was formerly applied to white men—the blue-eyed, fair-skinned man—the slaves who had raised the great Russian empire to its present stupendous and brilliant height. He confessed, therefore, that in law a slave was property, and the Fugitive Slave law having been passed by the highest judicial authority, must be acknowledged by States, and must be strictly enforced so long as it was the law. It was futile for any State Legislature to lift its puny arm against the strong, gigantic arm of the glorious Constitution, which declares that all its laws, made in pursuance of that instrument, must be regarded as paramount to all State laws and State Constitutions.

The speaker then adverted to the freedom of the press, and, though he might be called an "Old Federalist" for his opinion, he believed that every society had the right to protect its own interests and welfare, when those interests became menaced by danger. He wished to say that every man who had anything to do with the concerns of the Government, whether he be a newspaper editor, or other individual, who goes abroad through the States, circulating publications, with intent to excite domestic insurrections, should be seized and punished; and it was in the power of every State Government to punish that intent according to the constitutional

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definition of treason. He was the last man in the world who would interfere

with the institution of the Press; but the man who went about the country circulating documents, with intent of exciting domestic insurrection against the law—any man who would thus raise his suicidal arm against the Southern bosom, and raise his fratricidal arm against his brother's heart—he would have him duly and commensurately punished.

As to the policy and spirit of the Republican party, the South had made a great bugbear, without just cause or propriety. It had been sedulously and zealously attempted by a certain set of politicians, to induce the people of the South to believe that the party, when it should have attained command of Congress—when it should have command of the Executive and the Judiciary, that one of its first acts would be, by some means never explained, to seize the power of the Federal Government, and then, interfering with the Slave States, seize and deprive you of your property. The newspapers of the South had zealously fostered this idea, and kept the Southern mind excited upon this bugbear of the predominancy of Black Republicanism—not from anything that the party had ever avowed—not from any principles ever put forth by them, but from the ravings of the Abolition party, greatly magnified. The Constitution of the United States gave to Congress and the President no more power over Slavery in the States where it exists than it gave them power to regulate over the people of England, the affairs of Ireland or Scotland. This they had not the power to do, nor could it be for a moment supposed that they would attempt to overleap all constitutional bounds. If any of the States should continue in their secession, from such vain and improbable causes as these, it was plain and obvious that the future historian, looking at the events of these times, would come to the conclusion that the great experiment which this continent was intended to demonstrate, that man was capable of self-government, had entirely failed—that it failed from the insanity of the people, exhibited in this question now before the country. He, at some length, proceeded

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to show how impossible it was for the Freesoil party to obtain the requisite two-thirds majority, in both Houses, to subvert the institutions of the South, even if such a mad and irrational desire should exist in the future—for exist now it did not. Their rights in their slaves were safe, nor would they ever be infringed by the North.

The clamor of rights in the Territories he would settle by giving the South, for its "peculiar institution," all the territory South of the meridian 36 deg. 30 min. But, what did the Slaveowners want of more territory? They had not slave labor enough at the present moment to develop the resources of their own States. There were three hundred millions of acres in Texas on which cotton could be cultivated, and he was told that one good hand was equal to the production of five bales of cotton. Calculations would show that instead of wanting room for expansion, instead of choking for breathing room, they had as much productive soil within their own States as would give employment to forty-five millions of negroes, and their whole negro population was only four millions.

He closed by repeating that the North had no desire to interfere with Slavery in the States, and any guarantees to further assure them of that fact it was ready to grant. He hoped to see this mighty Republic bound together by closer ties in the future than any that had yet bound them in the past.

Mr. Millson, (Dem.,) of

Virginia, followed, representing one of the Minority

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Reports submitted from the Committee. He spoke of the priceless nature of the Union, and considered one of the worst signs of the times to be the levity with which Disunion was regarded. He did not expect statesmen of the present day to attain to the wisdom of the authors of the Constitution, but he did expect that they would at least aspire to the capacity of comprehending the results which must follow from their action at this time. He had been asked, shall Virginia submit to Lincoln? Certainly! What though the people of Virginia gave their vote against Lincoln; what though Virginia, through her Representatives here, may give her vote

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against the passage of a law enacted by Congress, it is still Virginia that says the laws shall be obeyed. It is still Virginia that says her will is potential, and that whoever receives a majority of the electoral votes shall be the President. Submitting to Lincoln is but submitting to the sovereign will of Virginia. He had seen no other cause assigned for secession than the passage of Personal Liberty bills. He stood there a States' rights man of the strictest sect, and regarded the Constitution as a compact between States. He even believed that a violation of the Constitution, by some of the parties to it, justified the other parties in refusing to comply with its remaining obligations; but, he denied that the Legislature of a State was one of the parties to the compact, and if the assumption of unconstitutional power on the part of a Legislature was to be regarded as an infraction of the Constitution, discharging any of the parties from their reciprocal obligations, then the like assumption of unconstitutional power by a President, a Governor, a State or Federal Judge, a Postmaster, or a Collector of Customs, should also be so regarded. But when the people, after remonstrance, sanctioned the unconstitutional act of their Legislature, that made it an infraction of the compact, and it was then the privilege, not the duty, of any other State to avail herself of that broken faith. It could not be considered her duty to do so, for then Massachusetts might be compelled to secede because Connecticut passed a Personal Liberty bill. He held that among the most valuable State rights belonging to Virginia, were those which belonged to her as a member of the Union. She was not bound to choose the alternative of submitting to Personal Liberty bills or breaking up the Union. He would refuse to submit to unconstitutional law, and he would not throw away his precious stake in the Union either. He did not see anything in the passage of Personal Liberty bills which justified the dissolution of the Union, particularly as evidence had been given by Northern Legislatures of a purpose to repeal such laws.

The Territorial rights question he disposed of in a brief but effective manner. It seemed, he said, to be strangely overlooked that

the Territorial question was *already settled*—settled by the existing law of the land

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—settled by the Constitution—settled by the Supreme Court—and settled, too, in favor of the South! He, therefore, saw nothing which would justify them in abandoning their present securities, and rushing hastily into disunion. Neophytes in States Rights views addressed him, veteran States Rights men, with the argument that they must vindicate the rights of the States. What *were* they? It would seem that some gentlemen supposed there were no other rights of a State than those which involved her destruction—the right to sacrifice her interest, the right to lay heavy burdens on her people, the right to expose herself to extreme peril, the right to throw away all her rights. He would defend all those rights of his State if she chose to exercise them. He would defend her right to commit suicide if she was tired of prosperity, and renown, and life itself. But the rights of Virginia, which he was most eager to maintain, were those connected with the welfare of her safety, her commerce, her industry, her peace, her consideration at home and abroad, the comfort and happiness and lives of her citizens—in short, all those inestimable blessings and benefits which the Constitution secured her, and of which she was now or had lately been in the actual enjoyment. These were the rights of his State which he would have her maintain against all comers. These were the rights which some men wanted her to throw away, only to show her right to do so.

Mr. Millson regretted that he could not share in Mr. Corwin's conclusions respecting future aggressions. He could not conscientiously accept the declarations of his political opponents against aggressions, present and prospective, and preferred that the Constitution should have such an interpretation given it as would forbid any future misconstructions. The men of the South required no new guarantees for their States—required no surrender either of consistency, or power, or advantages, on the part of the Northern States. The Territorial constitutional law had been settled by the decision of the Supreme Court. Upon that decision they rested, and upon it

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they relied for the whole settlement of that question.

He referred with great logical force to the secession of the *State* of South Carolina as an impossibility. She had not withdrawn from Congress, for she never had been a member of Congress. She had not dissolved her connection with the Federal Government, for she never was a part of the Federal Government. The people only were represented in Congress—the people only were a part of the Federal Government—they had ordained the Confederacy, *they* had accepted the Constitution, and not the *State*; and they alone, in National Convention represented, could adjudicate upon the question—South Carolina must withdraw from *them*. They had no official information that South Carolina had withdrawn from the Union, but yet they had such accumulated knowledge of the fact that they must act in the matter as if they knew officially that she had withdrawn. But having withdrawn, she must not be coerced. While he had no sympathy with the mode adopted by South Carolina for leaving the Union, while he had little sympathy with her with reference to the cause of her seceding from the Union, while he thought he saw that there was a purpose in her so acting, so that she might compel the other States to give a reluctant acquiescence in her course, yet not only for the sake of South Carolina, not only for the sake of the other States, but for his own State, which desired to remain in the Union, he protested against the application of coercion in any form for the purpose of subjecting a State. No; call a Convention of the States; submit the question to them. Let the States meet on equal terms, as when they formed the present Constitution, and let them determine what shall be done in this grave emergency.

He again adverted to the necessity for such Constitutional amendments as would put the Southern mind at rest. Beyond the present the Republicans of to-day could not answer—they could not answer for their successors; and, therefore, there should be some definite, satisfactory adjustment of the controversy. He did not see that the Constitution should be altered, for he maintained that what was

asked now was already in the Constitution; but they wanted some stipulation

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made to end forever the controversy. They did not ask this as suppliants. There was nothing practical to contend for. If the North did not want Slavery in the Territories it was not there, and could not be got there. No Southern man would bring his slaves into Territory either South or North of New Mexico. But no one could tell what would be the temper and spirit of the majority in some future time. They might exercise their power insultingly, for the purpose of trampling on the sensibilities of the Southern people. The South had a right to be protected against that danger. He could not conceive what just ground could be urged against the insertion of such plain stipulations in the Constitution as would forever put to rest this agitated question.

Who could penetrate the dismal future? Whether this great Government was to be preserved or destroyed—whether this Union was to be maintained or dissolved—whether peace was again to spread her wings over the nation, or whether it was to be exposed to all the horrors of a desolating civil war, he could not divine. He knew how strong were the inducements to peace. He knew that the interests of the North, as well as of the South, demanded peace, continued peace. Even if the Government was to be overthrown and the Union dissolved, there might be a general Convention of the States, and if they could not live peaceably together they might determine peaceably to separate. He looked upon the waging of war, not only as a violation of the Constitution, but as a crime against humanity. Still, there might be war. He feared there would be war. A mortal man rarely died without strong convulsions and paroxysms, and it was not to be supposed that a first-class power of the earth—a Republic of thirty millions—would exhale its breath classically and tranquilly. But, though his fears were active, he did not permit himself altogether to despond. The Union might yet be reconstructed and preserved, and the historian, in referring to this crisis in our national history, might date from this point the time when the

Republic really began its career of greatness and glory.

This eminently candid and conservative speech greatly exercised the Southern side of the House. In it they beheld their schemes daguerreotyped but too clearly, and felt its force all the more keenly, because coming from a Southern man, true to Southern interests.

In the House, Tuesday, Harris, of Maryland, gave notice that he would move the resolutions of the Border State Committee as an amendment to the propositions reported from the Committee of Thirty-three. He then presented memorials from seventeen thousand citizens of Maryland, representing every district and county in the State, in favor of the adoption of the Border resolutions.

Mr. Colfax, from the Post-office Committee, reported back the bill to abolish the mail service in the Seceded States [see page 262.] He said, in extenuation of this action, that

Bill to Abolish Mails
in the South.

he would not have introduced the bill if the Federal Courts had remained

intact. But now persons may open the mails and rifle them, and there is no means by which they may be brought to justice. If the Postmaster refuses to pay the drafts given to contractors, the latter can hold Congress responsible. Therefore, it became the imperative duty of the Government to discontinue the postal service where there is no means of protecting it.

Mr. Branch, (Dem.) of North Carolina, desired to offer a substitute, covering more ground than was proposed by the bill before the House. The President has communicated to Congress that, owing to the existing condition of affairs, the laws cannot be enforced in South Carolina. That message was now before the Select Committee. Mr. Branch's substitute was then read, namely: "To the end of removing all causes for using force and to prevent the breaking out of civil war, pending the deliberations of Congress in the existing crisis of public affairs, all laws of the United States be and they are hereby suspended until the 1st of January, 1862, in and over those States which have heretofore or may previous to said time, adopt Ordinances

of Secession. Mr. Colfax could not accept the substitute. Mr. Dawes, (Rep.,) of Massachusetts, inquired whether it was his (Colfax's) intention to move the passage of the bill under the operation of the previous question. Mr. Colfax replied in the affirmative. Mr. Dawes thought that the bill was of too much importance to be thus forced through the House. Mr. John Cochrane, (Dem.,) of New York, raised the question as to whether the laws could thus be constitutionally suspended. This was a grave inquiry. Was this, as Mr. Colfax stated, a measure of peace or the piece of a measure? [Laughter.] Mr. Colfax repeated that in view of the existing revolution the Postal laws could not be executed. No coercion was proposed.

Mr. Stevens, (Rep.,) of Pennsylvania, proposed a substitute, authorizing and empowering the President, when he shall deem it necessary, to suspend all laws and parts of laws establishing ports of entry and collection districts in South Carolina, Florida, Alabama, Mississippi, or any other State that has now or may hereafter secede, or be in rebellion against the United States, and to continue such suspension until such States shall return to their loyalty to the United States. The President shall give notice of such suspension by proclamation, and such suspension shall commence ten days thereafter. During the suspension it shall not be lawful for any vessel, except such as belong to the United States, to enter or leave any such ports of the United States for foreign ports or coastwise. If any vessel shall be found violating the provisions of this act, such vessel or cargo shall be forfeited, one-half to the captors and the other half to the United States, and those on board any such captured vessel shall be tried before any Admiralty Court having jurisdiction. The President shall also have power to suspend all laws establishing Post-offices and Post-routes in any of the Seceding States, and the mails shall be carried only to the lines of such States, except where it is necessary to pass through them to reach a loyal State. The mails shall not be opened in a rebellious State. And it is further provided, that the President have power to use the Army and Navy for the execution of the laws.

The consideration of the bill was finally postponed to Thursday, January 31st.

The House revived the consideration of the report of the Committee of Thirty-three.

Mr. Bingham, (Rep.), of Ohio, took the floor, to raise his voice against tampering with the Constitution, or resorting to a temporising policy. He would not withhold his support from any just legislation which looks to the supremacy of the laws; but it would be in vain to endeavor to save the Constitution by the sacrifice of the principles which underlie and constitute its vitality. He, with millions, stood by the Constitution as it is, with its blessed enjoyment of the present and the cherished hopes of the future. With uplifted hand, he stood there to deny that any State can by any appliance rightfully separate one section of the country from the rest, or sever the various ties which bind together the Republic. We have one Constitution, and he denied that any States can strike down the unity of the Government which constitutes us one people. He denied, in the name of the American people, that any State can let loose the demon of discord to breathe dismay and death, and pollute our hearths and homes with fratricidal blood. In view of the seizures of the forts and arsenals, and other lawless measures, it is the duty of Congress to strengthen the Executive arm to enable him to summon the people to the vindication of the outraged Constitution and the laws.

He refuted the idea of a constitutional right of secession, and scouted the assumption that peaceful disunion was possible. It could not be peaceful when it sought to blot, at one stroke, a mighty nation from its place in the category of governments. As well talk of a peaceful earthquake which envelops cities in one common disaster—as well tell of a peaceful tempest, which fills the heavens with darkness, desolation, and death. He concluded by arguing that States had no right to secede. They possess no inherent rights at all. The people have no cause of grievance which justifies revolution, and otherthrows the Constitution and supreme law of the land. Our duty is not to amend, but to maintain and uphold the Constitution, and on this

basis he would stand. He opposed the measures recommended by a majority of the Committee. He would not vote for the admission into the Union of New Mexico, until she repeals the unjust Slave code which would bring a blush to the cheek of Caligula. He would not aid in making this a Slave Government. He wished to punish treason and recapture the forts and other public property. He appealed to the people to uphold the Constitution. His speech was a bold and severe attack upon Mr. Corwin's Report, and aimed to draw the lines closely around those Republicans who still hoped and labored for compromise.

He was succeeded by Sherrard Clemens, (Dem.), of Virginia—one of the few who, seeing Virginia's danger, had the courage and the patriotism to speak for her salvation. After a long illness he thanked God that, in renewed health, he could serve his constituents when his services were most needed. He would speak from his heart; not in passion, but in truth, as befitted the solemnity of the hour and the magnitude of the issue. Great events hurried by with unflagging steps. Did they portend the death of the Republic? He would not utter one word to hasten the danger, but would, as a Southern man, representing Southern interests, only study how to avert the impending ruin. He would speak as a Western Virginian, and as the custodian of those who were not old enough to know the perils to which they were exposed by those who were now riding on the crest of the popular wave, but who were, nevertheless, destined to sink into the very trough of the sea to a depth so unfathomable that not a bubble would ever rise to mark the spot where they went so ignominiously down. Well might those who had inaugurated the revolution which was now stalking over the land cry out, with uplifted hands, for peace, and deprecate the effusion of blood! It was the inventor of the guillotine who was the first victim, and the day was not far off when they would find among their own people those who would have to rely upon the magnanimity of that population whom they had most cruelly outraged and deceived. He had not the heart to enter into a detail of the ar-

Sherrard Clemens' Speech.

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guments, or to express the indignant emotions, which rose to his lips for utterance. But, before God, and in his inmost conscience, he believed that Slavery would be crucified should this unhappy controversy end in a dismemberment of the Union. If not crucified, it would carry the death rattle in its throat. It remained to be seen whether treason could be carried out with the same facility with which it had been plotted. There was a holy courage among the minority of every State that might be for a time overwhelmed. Lazarus was not dead, but slept; and, ere long, the stone would be rolled away from the mouth of the tomb, and they would witness all the glories of a resurrection. It would not be forgotten that among the clans of Scotland beacon fires used to be lit by concerted signals from crag to crag, in living volumes of flame, yet expiring even in their own fierceness, and sinking into ashes as the faggots which lit them were consumed. To such a picture as that might be likened a rebellion such as political leaders sometimes excite for a brief hour; but the fires of rebellion burnt out with the faggots, and all was cold and dark again. There was a striking contrast between such a movement, between such a rebellion as he alluded to, and the uprising of the masses of the people in vindication of violated rights. As great a difference as there was between Snug, the joiner, and Bottom, the weaver, who "could roar you as fierce as a lion, or coo you as gently as a sucking dove." One was the stage trick of a political harlequin, the other was a living reality—the one was a livid and fitful flame, the other was a prairie on fire, finding in every step of its progress, food for its all-ravaging maw.

He might stand alone. Be it so! His political race was, voluntarily, nearly run. He sought no office—asked no favors. History, that infallible arbiter, should decide for all in truth, and would apportion to each his share of infamy or honor as was merited. He then referred to the diseased sentiment which prevailed to such an alarming degree in Congress and out of it. Patriotism had become a starveling birdling, clinging with unfledged wings around the nest of twigs where it was

born. A statesman must now not only narrow his mind and give up to party

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what was meant for mankind, but he must recede as submissively as a blind horse in a bark-mill to every perverted opinion which sits, whip in hand, on the revolving shaft, at the end of which he is harnessed. To be a diamond of the first water he must stand in the Senate House of his country, and in the face of a forbearing people, glory in being a traitor and a rebel. He must solemnly proclaim the death of the nation to which he had sworn allegiance, and with the grave stolidity of an undertaker invite its citizens to their own funeral. He must dwarf and provincialize his patriotism to the State on whose local passions he thrives, to the country where he practices court, or to the city where he flaunts in all the meretricious dignity of a Doge of Venice. He can take an oath to support the Constitution of the United States, but he can enter with honor into a conspiracy to overthrow it. He can, under the sanctity of the same oath, advise the seizure of forts and arsenals, dock-yards and ships, and money, belonging to the Union, whose officer he is, and find a most loyal and convenient retreat in State authority and State allegiance.

[This severe construction of secession morals was made in a tone of scorn which added to its bitterness. He fairly, for the moment, seemed the Jeremiah come to judge the machinators against society and law. Being a Southern man he was prepared for the contingencies of any personal issue which his anathema might excite, and, for that reason probably, was not bullied and insulted from the Southern side of the House. His speech was not interrupted, except in one instance.]

Mr. Clemens said the differences between North and South had been created and carried out, to their ultimate, by systematic perversions of the public sentiment, in both sections. In the South it was understood that the North was but a league of States, seeking the overthrow of Southern institutions. In the North it was understood that the South desired and intended to monopolize with slave Territory all the public lands, and to drive therefrom free labor, to convert every Free

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State into common ground, for the recapture of colored persons, as slaves, who were free, and to put the Federal Government, in all its departments, under the control of a slave oligarchy. These and all other stratagems that could be resorted to to arouse antagonistic feelings, were wielded with fearful power over turbulent passions. As they planted, so they reaped. The whirlwind was now born out of the storm, which never would have been created but for the bad men in the two sections—anarchists in heart, and morally diseased in mind. No anaconda, with his filthy folds around the banyan tree, threw out the venomous tongue and yearned with fiercer passion for the crushed bone and the pulpy flesh than he, the Abolitionist, now expectant of his prey, yearned for this long-proposed repast. Well might he cry that the day of jubilee had come! Well might he marshal his hosts to the last great war of sections and of races! Defeated, stigmatized, insulted, scoffed at, ostracised and gibbeted by his countrymen, he now gloated over the most fearful of all retributions. His deadliest foes in the South had now struck hands in a solemn league of kindred designs, and, with exultant tramp, stolidly marched, adorned, like a Roman ox, with the garlands of sacrifice, to the eternal doom. At this moment, when a sudden frenzy had struck blind the Southern people, this picture could not even be realized in all its horrors. When he looked at his country, and its present distracted and desolate condition, and its possible fate, he felt almost ready to close the quick accents of speech, and allow the heart to sink down voiceless in its despair. He would refer them to the words of Lloyd Garrison, and demand what answer would be given to them? [His reference was to an article in the *Liberator*, which appeared a few days after the secession of South Carolina, in which Garrison said that "the last covenant with death was annulled, and the agreement with hell broken by the action of South Carolina herself," closing with an appeal to Massachusetts, ending with the words, "How stands Massachusetts at this hour, in reference to the Union—in an attitude of hostility?" Mr. Clemens also quoted from a speech of

Wendell Phillips, delivered in the Music Hall at Boston, a few days previously, in which Phillips declared, "We are disunionists, not for any love of separate confederacies," &c., ending with a reference to South Carolina, "and Egypt will rejoice that she has departed."]

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The speaker gave, with considerable minutæ of detail, statistics of white population and of slaves in the Border and more Southern Slave States, for the purpose of showing, as he said, that there was an irreversible law of population governing the question; and that the South wanted population and capital rather than Territory. If secession were allowed to be carried out, he would show them a Southern Confederacy from which every man would turn back affrighted and pale, because it would be on the bloody hand that his rights of property would have to depend. Slavery cannot expand rapidly, either within the Union or without the Union, so long as slaves remained at their present high prices. The only mode by which Slavery could ever expand, was to reduce the price, and have a new source of supply. That was, in fact, the real design of the Coast States. Mr. Clemens, in proof of this, referred to all the Southern Conventions of late years, and cited the admissions of Messrs. Miles, Bonham, McRae, and Crawford, in the House, to show that the object was the re-opening of the Slave-trade. Suppose, said he, that they do not get, out of the Union, this equality which they now claim? That is a little problem in the rule of three which will be ciphered out if these events are much longer pending. The Border Slave States might as well be prepared, first as last, for the realization of the truth. But where was Slavery to expand? If the South left the Union she would never get as much of the present Territory as he could grasp in his hand. A war of thirty years would never get it back, nor could there ever be extorted from the North a treaty giving the same guarantees to Slavery that it now had. Where was Slavery to expand? Not to Central America, for England exercised sovereignty over half of her domain. Not to Mexico, for England had caused the abolition of

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Slavery there also. Their retiring confederates ought not to forget the events of 1834, when George Thompson, the English Abolitionist, was sent to enlighten the dead conscience of the American people. In this connection he cited a letter from Thompson to Murrell of Tennessee, in which was this sentence: "The dissolution of the Union is the object to be kept steadily in view." In the event of a Southern Confederacy there will be, beside the African Slave-trade, other elements of discord and agitation. Slavery was the great ruling interest of the extreme States, while the other States had other great interests which could not be lightly abandoned. It would be for the interest of the Coast States to have free trade in manufactured goods; but how would that operate on the mechanical and manufacturing industry of Missouri, Kentucky, Virginia, Maryland, and Delaware? There would be, therefore, in the proposed Union, an antagonism quite as great as there ever has been in this. If manufactories were to be protected and encouraged in the Border Slave States, their white population would increase so fast that they would be but nominally Slave States, and would finally become Free States. He appealed to the North to guarantee, by constitutional enactments, the principle secured by the decision of the Supreme Court in the Dred Scott case. Let us feel, he said, that we have a country to save instead of a geographical section to represent. Let us act as men, and not as partisans, and the old Constitution, now in the very trough of the sea, with battered masts and sails, will weather the storm.

During the remarks, Martin, of Virginia, had, in a tone of much excitement, expressed a hope that the member "should not be allowed to continue his traitorous remarks."*

* A correspondent at the Capital thus wrote:

"Both sides gathered around him, and while the extremists endeavored to distract attention, every word told with unusual effect. As he had not closed at the end of the hour, motions were made to extend the time, but objections were shouted from the South side, even to let him print the conclusion. A more thorough exposure and dissection of false pretences has rarely been witnessed, and no surprise was excited that the demagogues and conspirators should have winced as they did."

Washburn, (Rep.,) of Wis., addressed the House advocating his Minority Report from the Committee of Thirty-three. He insisted that the Constitution was ample for the preservation of the Union and the protection of all the material interests of the country, and that it needs to be obeyed rather than amended. He gave the reasons why. He opposed the recommendations of the majority, not being disposed to subject the people of the North to further contempt. He said the plain question was—and it would have to be met—whether they shall give a slavery guarantee in the Constitution. He was opposed to the admission of New Mexico. He would not consent to bring two more Slave State Senators into Congress. He would not vote for the admission of a Slave State. If new Mexico even were to present herself with a Free State Constitution, still he would be against it. She has not the necessary population, and not the ability to sustain a government. But one thing he desired to impress on the minds of all, and that was, if the Union was once dissolved, they might look in vain for its reconstruction on any such basis as it now stands upon. If reconstructed, the North will fix the terms of the reconstruction, and will insist that those who now secede shall come into a new Union, if they come at all, on terms of equality with us. But, said he, if disunion comes, whether it comes by peaceable secession or through fire and blood, and civil war, we shall have this consolation, that when the conflict is over, those who survive it will be, what they never have—namely, inhabitants of a free country.

In the Senate, Tuesday, (January 22d,) Mr. Saulsbury, of Delaware, presented that States' Legislative resolutions directing its Senators and Representatives to vote for the Crittenden resolutions, or for any other measure looking to the preservation of the Union.

Much time was consumed, and an interesting colloquial debate had, on the question of the seats of the seceded Senators. A motion was made that the Vice-President fill the vacancies existing in the Committees. That officer asked instructions. As there was no record, on the journal, of the absence

Seats of Seceded
Senators.

of the Senators, and as their names were still called on the roll, he asked Senators to say whether or not he should recognize their absence. Much was said *pro* and *con*. Benjamin, of Louisiana, moved that the journal be corrected, to record the fact that the Senators from Alabama, Florida, and Mississippi have announced that their States have seceded and resumed the powers delegated to the General Government, and withdrawn.

Mr. Douglas moved to amend, that Messrs. Yulee, Mallory, and others, have announced that they are no longer members of this body, and have withdrawn, and that their names be stricken from the roll.

After further questioning and personal opinions, the subject, on motion of Mr. Seward, was laid on the table.

The Crittenden resolutions, being unfinished business, were then called up, and Powell, (Dem.,) of Kentucky, delivered a lengthy and somewhat elaborate speech. He repeated that he had advocated sincerely, every measure calculated to remove the difficulties, and argued that a division of the Territories,

as proposed by his colleague, was just and equitable to all. The Territories

were acquired by all the States. By the proposed division, the North gets nearly four times the quantity of the South, and ten times the value. He thought it eminently proper that the settlement should apply to all future acquisitions, so as to take the question forever from the halls of Congress, and contended that it would in no way encourage filibustering, for Territory could not be acquired in such a way. He said the objection that it recognized Slavery was not well taken. The Constitution *did* recognize Slavery, and at the time of its formation it was recognized everywhere in the civilized world. He claimed, also, that Congress had, on many occasions, *recognized* Slavery, in treaties and various ways. He thought there was no need of advocating the duty of protection, as protection was the plain duty of every Government. The South claimed no more than was right; and, for the sake of peace, and to transmit the institutions of our fathers to posterity, they were willing to yield far more than was right, and yet peace-offerings seemed to be

spurned. He was in favor of an amendment to the Constitution to suppress the slave-trade forever, and argued in favor of an amendment requiring States to deliver up fugitives from justice, and also in favor of preventing all invasion of States. If these things were fair, he remarked, why not put them in the Constitution, so as to be beyond the reach of all sectional majorities. He referred briefly to other proposed amendments, specially to one denying the right of suffrage to colored persons. If the Senators are against negro equality, why should they not be willing to put this amendment in the Constitution? He believed that it was a Government specially for white men. He said that the Senator of Ohio, (Mr. Wade,) asked what the charges were? He would repeat a few: One was that bands were organized in Free States to steal the property of the South.

Mr. Wade, (Rep.,) of Ohio., asked for a proof, and said he did not believe a word of it.

Mr. Powell said, the fast Underground Railroad is well known. He had read a letter of a member of the House from Ohio, (Mr. Cox,) speaking of the great number of slaves carried off. This, if it was a foreign country, would be a cause for war. The Personal Liberty bills were also another cause of complaint; such laws are a clear violation of the Constitution.

Mr. Wade said he wanted some specific charge against Ohio, so that he could answer it. He was tired of hearing general charges.

Mr. Powell said that the Governor of Ohio had refused to deliver up a fugitive from justice. He had also referred to a letter of a colleague of the Senator. The Republicans elected a candidate on a platform hostile to the South, and had elected a President who declared that he would not vote to admit a Slave State, notwithstanding the decision of the Supreme Court.

Mr. Trumbull said it was directly the reverse from what the Senator had said.

After further personal rejoinders, Mr. Powell proceeded. He said if anything was done to save the Union, it must come from the Republicans. He would not deal with the question of the right of secession—it was useless to argue the point, when a revolution

was already in progress. He did not believe the Constitution gave any power to coerce a Seceding State. It was madness to attempt to preserve the Union by force. War was dissolution, and he thought that these resolutions were just and satisfactory. But he would not speak for Kentucky; she would meet the crisis, and whatever was her decision, he, as a loyal son, would obey her high behests.

An interesting running

Ohio vs. Virginia.

debate then followed. The charges against Ohio called

up Mr. Wade. He remarked that the Senator from Virginia (Mason) had said that the Legislature of Ohio had refused to repeal an unconstitutional law. He did not believe Ohio had any law which was unconstitutional, and he thought the Senator was mistaken. The law framed last year gives further security to free colored people, and when it came up this year before the Legislature, it was postponed. That was a mistake of the Senator, as the law was exactly opposite to what he (Mason) supposed.

Mr. Mason said that the House of Representatives of Ohio had refused to repeal a law under which United States Marshals had been imprisoned.

Mr. Wade said the only law of Ohio on the subject was copied almost entirely from the law of Virginia, and such a law ought not to be repealed. He (Wade) saw no reason to compromise with anybody. There is no organization in Ohio to interfere with the laws. He did not doubt there were escaped slaves in Ohio, but he denied that there was any organized company to aid them in escaping.

Mr. Mason said that the Governor of Virginia made a demand on the Governor of Ohio to surrender a fugitive who had committed murder and arson in Virginia, and the Governor of Ohio refused to deliver him up. The fugitive was one of John Brown's company.

Mr. Wade said such refusal was not peculiar to Ohio. It was a vexed question everywhere. In reference to the case in Kentucky, the Governor of Ohio took precedent from the Governor of Kentucky.

Mr. Powell said he was not aware there was such a case in Kentucky. The Governor

of Kentucky could not have refused on the ground of kidnapping, as that was not an offense in Kentucky. If the Governor did refuse, he did wrong.

Mr. Douglas said that he had traced some of these cases, and found them common to all the States. The first one was in 1791, when the Governor of Virginia refused to deliver up a fugitive to Pennsylvania. The Governor of Pennsylvania sent the parties to General Washington, who was then President, and he sent them to the Senate. Since then, there had been various cases. He did not think this could form a subject of complaint now.

Mr. Mason said the case in Virginia occurred before there was any law respecting the delivery of fugitives by Congress. But if the Senators think that the contumely, and injury, and insult heaped on the Slaveholding States for the last twenty years is to be appeased by claiming to go back to the first wrong, let them have the benefit of the argument. I will not present a bill of indictment. The history of the country shows the wrongs the Slaveholding States have received, and they will determine for themselves whether their interests and safety will permit them to remain in the Union.

Mr. Douglas said he simply wished to show, owing to the constitution of the law referred to, there was not a clear case of its violation by the Northern States.

Mr. Wade said that all the complaints against Ohio came back to one thing. They say all the attempts to save the Union come from us. You, who seek to overthrow the Constitution, and who say you are about to rebel and wage war, should give some specification wherein we have offended.

Mr. Mason explained that the case in Virginia occurred before any law of the United States on the subject, and the Attorney General of Virginia based his decision on the fact that there was no law authorizing the arrest.

In the Senate, Wednesday, but little was done. The day was almost entirely spent in a personal and purely partisan warfare over minor matters. Bigler essayed to call up the Crittenden resolutions. His motion was disagreed to—24 to 27.

Mr. Clemens' "Personal Explanation."

The House Session, Wednesday, was enlivened with some words by Mr. Clemens. Referring to the official report of the previous day's proceedings, he observed that Mr. Martin had made certain offensive remarks. He (Clemens) had not understood them at the time. He said the position which he conceived it his duty to take in this national emergency was taken deliberately, and with the expectation that he would be subjected to personal defamation. If his colleague's remark was intended to give offense, he pardoned him, for the reason he was now laboring under a physical infirmity with a reeking wound received in a personal encounter. Hindman, of Arkansas, reminded Clemens that Martin was not present. Clemens was not aware of his absence; but, if any one was desirous to cast imputations on him, he could indulge in them for the reasons stated. He could conceive of men who would be unknown either in this or any other Congress, had it not been through the interposition of Providence.

The speech of the day was by Etheridge, (Am.,) of Tennessee. It was an effort of much power and severity, and produced a strong impression on both sides of the House. Its plea was for settlement by compromise, but for the Union at all hazards. The patriotism of the House he doubted. He would be willing to submit the entire question at issue to a jury of twelve disinterested men, without a word of argument; but the House, composed of two-hundred and thirty-six members, by its inaction and stolidity, refused to adjust differences, and stood by to see the revolution hurrying the Union on to destruction. He felt assured that, if the *people* of the country could be made arbiters, all would be well; and, if Congress would not act, he should move an adjournment of the quarrel to the people. Then it would be settled, permanently and satisfactorily. As for the excuses put forth by the Disunionists, for their monstrous conduct, he said: there were Personal Liberty laws, one cause of complaint. Then followed, in their category, opposition to the execution of the Fugitive Slave law, another cause of com-

plaint. Then, as if tangible arguments had failed, the Disunionists urged that the respective sections were not homogenous, and hated one another, and that some of the Northern States were for Negro equality. These charges constituted all the allegations in the bill of indictment which they had filed. As to the first, he confessed that Personal Liberty bills did exist, without extenuation and without excuse. But it was due to truth to say that these obnoxious bills would soon be swept from the statute books of the Free States. That was the only charge that could be sustained. The balance of the allegations they made out were all with reference to things which never happened, and which never could have happened, had the Seceding States remained in the Union, and had their representatives not staid at home. He was assured that the Personal Liberty bills had been, or would be, struck from the statute books of all the Border Free States—from Iowa, Indiana, Illinois, Ohio, Pennsylvania and New Jersey. To be sure they were still retained in Vermont, where, he was told, a fugitive slave had not been seen for forty years, and which was as inaccessible to a slave as was the kingdom of South Carolina to him at that moment. Now, he lived within a day's ride of three Free States, and he had never known a slave to have been stolen from his district and retained. He had known of one escaping and passing through the district represented by his friend from Kentucky, who made his way into Illinois, where he was arrested by the people and returned to his owner. But, had the South ever appealed to the North to repeal their Personal Liberty bills? They had done no such thing. They said the North would not execute the Fugitive Slave law. But what was the fact? The present Executive, in his late Message, used this language: "That the Fugitive Slave law had been executed in every contested case that had arisen." They knew it was so. Every attempted rescue had become a matter of public notoriety; but it was not so sedulously made known that fugitive slaves were arrested every day in the Free States, and carried back to their masters. There

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was no fault to be found with the Fugitive Slave law. A United States Commissioner, appointed to carry out that law, a resident of the present kingdom of South Carolina, had assured him that the law was as stringent as human ingenuity could make it. And would you dissolve the Union for that cause?

Foiled in argument so palpably unfounded, the desperate precipitators find a cover for their designs in the statement that the Northern people, in some time to come, intend to abolish Slavery in the States. He did not believe one word of it. Standing there in his place, before that crowded audience, he avowed that there was not a man in the House who desired to abolish Slavery in the States, or who imagined they have the right to attempt it. [Cries from Republican benches, "Not one, not one."] If there was such a man he desired to see him. Such a man would deserve the execration of his colleagues, and the execration of every man who respected the Constitution; and yet that declaration to abolish Slavery was made by these precipitators in the teeth of the most solemn assurances that could be given by a political party. He asserted that no political party that had ever risen in the country had given such strong and solemn guarantees to respect Slavery within the States. But, *this* fact was suppressed by the politicians and newspapers of the South, and the opposite doctrine zealously inculcated into the public mind. With regard to the fear excited in the Southern mind, of a determination on the part of the North to give equality in every respect to the negro, he proceeded to show how unfounded the charge was, and noticed that in the State of New York at the last election, that issue had been submitted to the people, who refused, by a majority of twenty to one, to extend universal suffrage to the negro.

It was charged against the North that it was from their midst that the John Brown raid came; but he would ask his seceding friends, in case of disunion, would South Carolina be better able to protect herself against raids than she had been in the past? Now, when all were true to the Con-

stitution, when each man was a judge and executioner of the law, and every con-

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venient tree was a gallows upon which to hang those who violated the Constitution in the manner of John Brown and his followers, it should teach every one that they had a code for the punishment of traitors, as stringent as it could be made.

Mr. Etheridge then proceeded to an examination of history regarding Territorial acquisition. The House knew, he said, that when the Government was ordained, when the Declaration of Independence was proclaimed, that our Western boundary was the Mississippi River, and he asserted that from that very day, at the instance of the South, at the instance of Slaveholders, the area of the Government had been enlarged and expanded. Every foot of soil that had been acquired at the instance of the South, the North, with its numerical power and strength overshadowing the South, had willingly yielded. Florida and Louisiana had been thus secured at the instance of the South. Florida had been purchased at a first cost of \$5,000,000, and at a cost of \$50,000,000 more to remove the savages, millions more to build fortifications along the deep to guard Southern commerce. And after all this, little Florida, with less than half the population he represented, goes out of the Union, with the fortifications, with the public lands, with untold millions, and, worse than all, carries with her the prestige of the unity of these States! Little Florida secedes, which could not at this moment protect herself from the alligators without the aid of the Federal troops—[laughter]—this very Florida, purchased at the instance of the South, with Northern money and Northern blood! He then noticed the annexation of Texas, also at the instance of the South, and paid a eulogy to Governor Houston of that State. In 1850 the South demanded a Fugitive Slave law. They got that. They first demanded the Missouri Compromise. They got it. They then demanded its repeal. They got that. They demanded nothing which they had not got. Now they demand that Slavery should be protected in every inch of the Territories of the United States. But that ques-

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tion was decided against them, in a most unmistakable manner, at the ballot-

box; and even the Southern States themselves had pronounced against that demand. The Government had been in operation nearly eighty years, and up to this time no Member of Congress had even so much as introduced a bill to protect Slavery in the Territories. And now they proposed to dissolve the Union because a vast majority of the people had replied to their demand for protection of slaves in the Territories, that all they should ever have was non-intervention. That probably was all they ever would obtain. One disunionist said that he wanted protection for Slavery for the purpose of expansion; that Slavery was increasing, and that in fifty years they would have twenty millions of negroes, and consequently they must have room to expand. But the truth was that they needed no expansion, and if they did, they could not get it, either in or out of the Union.

Recurring to the studious misrepresentations made to the Southern people by the leaders of the revolution, he said it was a matter of history that a few weeks ago a gentleman (Col. Memminger) proclaimed from the steps of the Capitol of Milledgeville to gentlemen, lawyers, doctors, shortboys, and everybody who stood around, that Hannibal Hamlin, or, as he is called there, "Cannibal" Hamlin, was a mulatto; that the North had elected an Abolitionist to be President, and a mulatto to be Vice-President. That absurd and infamous statement was believed by the masses, and now it was generally charged at the South that the Black Republicans had really elected a mulatto to office! You heard this charge made at every Southern hustings—in every Southern assembly, and any denial of it was taken as evidence of a sympathy with Abolitionism!

Leake, of Virginia, here interrupted the speaker, to know whether he was speaking on the side of the North, or on the side of the South. The scathing reply was: "I am speaking on that side which has few representatives on this floor—on the side of my country!"—Already in the South bold men, educated men, chivalrous men, were drilling and disciplining the military forces. Men

were excited with all the pomp and circumstance of war. Men believed that

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Lincoln and his cohorts were going to the South to apply the torch to towns, hamlets, and dwellings, and these things arose from Southern misapprehensions of Northern men. To allay this, to stop the tide of revolution, he would vote for the Crittenden propositions. He would vote for the proposition he had submitted himself; he would vote for the report of the gentleman from Ohio; he would vote for anything that was of any value, that had any principle, and that would relieve the public mind from the apprehensions which beset it. He hoped Congress would effect something to stay the tide of revolution; but, if nothing could be done, as he said before, he would go before the people, and throw himself into the "deadly imminent breach," and would resist the wave of disunion to the last. And if the worst came to the worst; if his State should be dragged to the brink of the fearful precipice, and be made an unwilling victim, it would be only at the last moment of his country's ruin. And now, in advance, he washed his hands clear of the shame and of the crime that will attach to those who would overthrow public liberty, and raise a despotism on its ruins. Wherever the flag of his country floated, there would he go, and he would cling to it in this, the dark hour of her peril, with all the sacred trust and confidence of an enthusiast clinging to his God.

The Speaker here laid before the House a communication, signed by all the members from Georgia—Mr. Hill excepted—announcing the secession of that State, and adding, "that having dissolved her political connection with the Federal Government, and having thereby repealed the Ordinance of 1788, by which the Constitution was ratified, and having resumed the powers heretofore delegated to her, we hereby announce that we are no longer members of the House of Representatives."

Withdrawal of Georgia Members.

A communication was read from Mr. Hill, of Georgia, in which he said: "Satisfied as I am, that a majority of the people of Georgia, in convention now in session, desire that

State no longer to be represented on this floor, I, in obedience to their wishes, do hereby resign the seat I now hold as a member of the House of Representatives from that State."

Mr. Lovejoy, having the floor, addressed the House.

Lovejoy's Pronunciation.
mento.

The gentleman's reputation as an uncompromising Anti-Slavery leader of the radical school, led his hearers to expect a speech which would not prove to be oil on the troubled waters. He did not, however, stir up the elements of Southern passion, as was usual when he spoke. Though he did not abate his oft-pronounced judgments against Slavery and the denunciation of Slave-owners, he succeeded even in pleasing his old antagonists. He said he felt solemnly impressed with the question before him, and prayed for wisdom from on high, which was first pure, then peaceable, to direct his mind that he might clothe his thoughts in such language as befitted the occasion and the presence of this audience. He then argued the theory of our Government as it is laid down, briefly and with philosophical precision, in the Declaration of Independence our fathers made, and in the Constitution. He said the wildest dogma was that of secession, which was treason and rebellion, and crime against God and man. If the Government could not be maintained, it was a mere co-partnership, to be dissolved by a single member of the firm. South Carolina could not dissolve the Union she did not make, except in conjunction with the other States; and it was miserable, derisive mockery for her to attempt to absolve her people from allegiance to the Government. He alluded to the seizure of forts, arsenals, etc., and in this connection was speaking of coercion, when Mr. De Jarnette, of Virginia, rose to a question of order. The gentleman was not speaking from his seat, as required by the rules of the House! This same small game was, at the previous session, urged against Lovejoy by his opponents who were anxious to annoy the Illinois member, and thus to parry the force of his merciless blows. On the former occasion Mr. Lovejoy "showed fight," and thus lost his vantage ground; but, with this attempt, he kept his temper and his audience

admirably. Under pressure of the disfavor excited by this question of order, it was withdrawn, when Mr. L. proceeded.

He would *not* conciliate with rebels in arms against a Government which had done them nothing but favors. Whatever he might do under other circumstances, never, as God lives, would he vote for a particle of compromise until the insult to our flag should be apologized for or avenged. He wanted to see this Disunion farce or tragedy played out. It was said, in compromising, the extremes of the Republican party must be cut off. He hoped they would have a merry time of it. They would be acting Hamlet with the character of Hamlet left out. He appealed to his Republican friends to stand firm and decided, and not part with the golden opportunity they now possessed to carry out their principles. Stand still and see the salvation of the Lord. [Laughter.] Some of them were looking to Mr. Lincoln for a compromise, but from his soul he did not believe Mr. Lincoln was so disposed; he would stand by the principles enunciated in the Chicago Platform. If he or an angel from heaven proclaimed any other doctrine, let him be *anathema maranatha*. Let him be accursed, and the people curse him. [Laughter.] As to himself, he would not vote for the bill, if one were introduced to abolish Slavery in the States where it exists; not that he would not have all mankind free, but they had no constitutional power thus to act. He would not, however, sacrifice the right of Freedom to perpetuate or protect Slavery.

A somewhat singular proposition was made by Mr. Montgomery, of Pennsylvania, that all members of the House should resign, in order that their constituents might immediately elect Representatives whom they could specially instruct. It received little consideration on the floor; but the mover, not to be intimidated, drew up a paper embodying his propositions, which he circulated for signatures.*

A Self-sacrificing
Project.

* The pledge or proposition read as follows:

"We, the undersigned, Members of the XXXIVth Congress, convinced by the various votes taken on the several propositions presented for our consider-

McPherson's Remarks.

Mr. McPherson, (Rep.,) of Pennsylvania, made a brief and pointed speech.

It had been said that we are in the midst of a revolution, but he thought we were in the presence of conspiracy. The blow comes from those who admit that, long ago, they laid the plan, and carefully prepared the means for its accomplishment. In alluding to the history of events in this connection, he said the Cabinet officers had used the machinery of the Government for their nefarious purposes, and even the House and Senate Chamber had not escaped. He characterized the movement as despotic, originating in disappointed personal ambition, and nurtured in iniquity. In reviewing the progress of events he said one thing was certain—the Union was not to be destroyed, for the people would maintain it. They would neither be betrayed nor sold. The

Government was *theirs*, and they would protect and preserve it, even if their chosen administrators were false to their trusts, their oaths and their sacred honor.

Thursday, in the House, the Post-route bill consumed much of the day, when nothing of interest transpired, relating to the rebellion. At the allotted hour the consideration of the Corwin Report was resumed. In the debate which followed, an exciting personal passage occurred, that served to illustrate the spirit of overbearing insolence which governed the treasonable leaders of the South.

Rust, of Arkansas, having the floor, said, as a member of the Committee of Thirty-three, he had entered on the duty

The Dunn and Rust Difficulty.

with a desire to do whatever he could to give peace, and regretted that his efforts met with no proper response. The Committee were engaged five weeks, and at last produced a miserable abortion which can claim no paternity. From the first day they sat to the last, the proceedings were a sham and a mockery to the Southern men on the Committee. As it was constituted none but the most sanguine could have hoped anything from it. If civil war should result, let the responsibility rest on the heads of those who refused to compromise. Arkansas is as conservative as any other State, but she will maintain her equality in the Union, or enjoy it out of the Union. As an evidence of the feeling in that State he read a letter from a member of the Legislature, an intelligent and influential citizen, to show that a great reaction had taken place in Arkansas, and that most conservative men had abandoned all hope. In answer to every appeal, all that conservative Southern members on the Committee could get was—"nothing inconsistent with the Chicago platform." It appeared that John Brown was the martyr and hero of the Republican party.

This last sentence embodying what its author well knew to be a libel, was uttered as an insult. It called up Dunn, (Rep.,) of Indiana. He replied that, as for the Chicago platform, it explicitly condemned the John Brown raid. As a member of the Committee

ation, from time to time, that there is no hope that any measure which will reconcile the existing differences between the sections of our country can receive a vote of a constitutional majority, and as none of the present members were elected in view of the existing troubles, and believing that, in a time of so great peril, it is proper to refer this question to the people of our several Districts, propose that the Members of this Congress shall resign, to take effect on the 21st of February next, and that we immediately provide for the election of our successors by the people, who shall assemble here on the 22d day of February next, and to these representatives, bearing the instructions of the people, the various propositions of compromise now pending and hereafter to be proposed, shall be referred; the election is not to interfere with the officers and employees of this House."

To this he obtained the following signatures: Messrs. Montgomery and Florence, of Pennsylvania; Clemens, Bockock, Martin, Garnett, Jenkins, Edmundson and De Jarnette, of Virginia; Wright and Avery, of Tennessee; Rigg, of New Jersey; Taylor, of Louisiana; Davis, Niblack, Holman and English, of Indiana; Burnett and Stephenson, of Kentucky; Smith, of North Carolina; Whitely, of Delaware; Larabee, of Wisconsin; Scott, of California; Sickles, of New York; Craig and Anderson, of Missouri; Simms, Brown, Peyton and Stevenson, of Kentucky; Hughes and Kunkel, of Maryland; Fouke, Logan and McClelland, of Illinois; &c., &c. About fifty members finally gave it their endorsement.

he (Dunn) had discharged his duty, without reference to the Chicago platform, as did other Republicans. He, therefore, had but one response to make to the statements of the other speaker. As to the Republicans, or the Republican platform, sympathizing with the John Brown invasion, everybody, North and South, knew it was an infamous libel on the Republican party, and he was surprised that any *gentleman*, in this time of the country's peril, could give circulation to it. This rejoinder was expected, since the nature of the charge forbade that it should go uncontradicted. It was made, unquestionably, with the hope of affording the "gentleman from Arkansas," an opportunity for a personal issue. It would much help him with his constituents if a "Black Republican" could be sacrificed to his practical aim.

Rust's reply was as anticipated: "With reference to the charge of 'infamous libel,' made use of, the gentleman from Indiana, I hope, is responsible for it. As this is a time of war we must wage war, and I desire to know whether the gentleman announced to the House and the country that he was responsible for what he said. I want to know that. If he is for war I am willing to accommodate him with war."

Dunn's rejoinder was: "This is a free country, and the gentleman can take any measure or mode of redress he pleases."

Rust, excitedly: "*I have the answer which I want!*" He then resumed his remarks: If the Republican members on the Committee represented Northern sentiment, then all hope of compromise is lost, and he would prefer that all the Southern States should be blood-stained rather than submit to such a party. But he did not believe they represented the people of the country. If the Union should be dissolved, he hoped it would be in such a way as would give an opportunity for its reconstruction. He said a more disingenuous report than that of the Committee of Thirty-three, never before emanated from a political partisan, and he expressed it as his deliberate opinion that it was the purpose of the Republican party to abolish Slavery, wherever they could. He believed, and could show, that Mr. Lincoln repudiated the Con-

stitution of the United States. Under that instrument the Southern States have rights in the Union, but unless there were effectual guarantees given that it should be carried out in the spirit that it was framed, he should beg and implore them to secede. In the course of his remarks he said that the Legislature of Massachusetts had passed resolutions declaring that State out of the Union, because of the annexation of Texas.

This last statement met with a positive denial from Gooch, (Rep.,) of Massachusetts. He demanded the production of the reputed "resolutions." Rust, "to put the gentleman in a way to be enlightened," called on Mr. Adams, of Massachusetts, to read the resolutions that he (Adams) prepared and introduced in the Legislature of Massachusetts in opposition to the annexation of Texas, on constitutional grounds. In these resolutions it was declared that Massachusetts was determined, as it doubted not other States were, to submit to no undelegated power in any body of men on earth; and, further, that unless the annexation of Texas was resisted, it might tend to drive the States into a dissolution of the Union, and furnish new calumnies against republican government, &c.

Gooch replied, that the resolutions *introduced* by Mr. Adams, many years ago (1844,) into his State Legislature, afforded very slight pretext for their exhumation now. Hindman, of Arkansas, replied that Rust's position was right—that he would sustain him in it.

Mr. Dunn, having had a conference with his friends, and evidently anxious to give the belligerent members no opportunity for resorting to "the code," offered an explanation to the House, whose rules and decorum it was understood he had infringed. He desired always to be right in whatever he uttered in response to the gentleman from Arkansas. What he intended to say was this, namely, that the declaration that the Republican party sympathized with John Brown was a libel on that party. He did not intend to use offensive language to the gentleman, but made the remark believing the charge to be libelous on the Republican platform and party.

This little show of concession only made

Rust demand that Dunn should make "an entire retraction of his remarks." Dunn replied that "he had rendered the explanation which duty required him to make—he had nothing more to offer." In a tone, and with an air which betrayed the Southern "master," the Arkansas man said: "Very well! we will see!"—implying that, *of course*, the necessary retraction *would* be made.*

Mr. Ferry, (Rep.) of Connecticut, followed. His speech was not mollified in tone by what had just transpired. He alluded to the bold, yet miserable pretexts put forward by the conspirators to cover the infamy of their base treason. The avowed reasons for rebellion

were utterly fallacious.

Ferry's Protest
against Treason.

Treason had not only lurked in the Capitol, but it

was found in the Executive departments, shaking hands with grand and petty larceny, for the accomplishment of unholy purposes. The dissolution of the United States was of thirty years' growth. The Dred Scott decision of the Supreme Court of the United States destroyed the confidence of the people in that Court, and the Lecompton policy destroyed their confidence in the Executive administration. Republicans were strangled out of the Southern States, and the same fate must be meted out to the Union portion of the Democracy. Hence the breaking up of the Convention in Charleston, that hotbed

of treason. The Union is a delusion, and the Constitution a sham, if the disunion doctrine is true. He was opposed to all amendments to the Constitution, and would maintain it as it is. He would never recognize property in man, nor yield protection to Slavery, where it can be profitably employed. To consent to this would be a monstrous iniquity, abhorred of God, and deserving of the execration of the civilized world. He was opposed to the admission of New Mexico, and dissented from the other measures recommended in the report under consideration. He feared to compromise, lest he should dishonor the Government. He appealed to the Republicans to stand by their principles. So long as there was open rebellion on the one hand, and threatened rebellion on the other, it was due to the nation's dignity to make an exhibition of its strength, for the vindication of the Constitution and the laws. Others might do as they pleased, but he could not compound with treason and such unnatural guilt.

In the Senate, Thursday, the Pacific Railway bill consumed the day. Mr. Crittenden moved to postpone its consideration, and to take up his resolutions, which he deemed to be of more vital importance, at that moment, than any railroad. He said he had heard something had been reported in the papers as having been said by him in secret session [see note, page 242]. He had never authorized such publication at all. He had heard he had been charged with advocating the doctrine of coercion. He did no such thing; but he did say, that in his judgment the Congress of the United States had the power, and there might be cases where such power was applicable, and ought to be exercised. If the District of Columbia should attempt to secede, nobody doubts the President would have the power to employ force if necessary; but he did also say that the present is no occasion for the application of the doctrine of coercion. The vote to postpone the Railway bill was lost—20 to 26.

No further action of a national nature was taken in the Senate until Monday. During the week, great numbers of names had been presented from various sections, attached to memorials and petitions in favor of the Crittenden Compromise.

* The matter was placed in the hands of Messrs. Hindman and McClernand, and settled. It is a remarkable fact that, in almost every instance where Southern insolence became so intolerable as to induce the insulted party to make reply, the onus of an "explanation" was thrown upon the Northern member, and a "settlement" procured at the expense of his self-respect. The honorable exceptions are few, but they go to prove that where a defiant spirit was shown, the Southern bullies were slow to press an explanation. The "affair" between Pryor, of Virginia, and Potter, of Iowa, which happened at a period subsequent to this difficulty with Rust, is an illustration to this point. Such men as Potter would not be "called out" a second time; and such men as Burlingame, B. F. Wade, Wilson, of Massachusetts, Stanton, Howard, of Michigan, were not apt to be insulted, either on the floor or off.

Nelson's Speech.

The House session of Thursday was one of more than ordinary interest. Mr.

Nelson, (Am.,) of Tennessee, declared for himself and his constituents strong Union sentiments, thus placing himself beside Andrew Johnson and Emerson Etheridge. Without committing himself to any section he planted himself on the Union policy. He censured Congress for its inaction on the great question. Notwithstanding the Union was melting away from under their very feet, members discussed the matter as if it were of transitory importance. The two causes lying at the foundation of the differences are, first, the pride of opinion, and second, party spirit. To adhere to these in the present crisis is unworthy the representatives of freemen. If, instead of disseminating with lightning speed intelligence that nothing will be done, whereby hope is destroyed, they would give evidence of an earnest disposition to perform their duty, there would be more probability of agreeing upon some plan of adjustment. He advocated the Crittenden plan, which was rallying support everywhere. He had hoped, and when in Committee he offered the restoration, in principle, of the Missouri Compromise line, that it would be accepted by both parties. He had thought the Republicans would support it, because the repeal of that compromise was the origin of their party. He believed that if both houses would adopt the Crittenden plan, peace would be restored to the country, and that a majority in the Southern States would acquiesce in it. The South have suffered grievances from Personal Liberty bills, obstructions to the execution of the Fugitive Slave law, and attempts to kindle the flame of insurrection. While he advocated the restoration of the Missouri line and the Crittenden plan, he would not insist upon this as an ultimatum, but as the basis of a settlement. He differed in opinion with Mr. Rust, who yesterday said the Committee of Thirty-three was a most miserable abortion, and amounted to nothing as to quieting the minds of the people. But the gentleman from Massachusetts (Mr. Adams) offered in the Committee a proposition in the highest degree creditable to him, namely, a proposition by constitutional amendment

never to abolish Slavery in the States where it exists, except with the assent of all

Nelson's Speech.

the States. This, if adopted, would go far to appease, and entirely remove, every just source of apprehension on this subject from the Republican party. Mr. Nelson adverted to the recommendation of the Committee as to the repeal of the Personal Liberty bills, the Fugitive Slave law, &c., and said that he saw in this a disposition for reconciliation and accommodation. Why not, then, give to the South in a constitutional form what is announced in the resolutions of the Committee, and the Territorial question could be settled by restoring the Missouri line.

Stratton, (Rep.,) of New Jersey, here asked the speaker if he would be satisfied with that line extended to the Pacific. The reply was:—"If amended to suit the changed condition of the country." Mallory, of Kentucky, asked Stratton if he would give that line by constitutional amendment? The New Jersey member replied that "he was willing to give the Missouri line in its original language." To this sentiment came cries of "Good!" from the Republican side of the House. Nelson then added that he was willing to receive almost anything rather than to see brother arrayed against brother, and friend against friend, in dreadful strife, and this would be the result if something was not speedily done to quiet the disunion feeling now prevailing.

Morse, (Rep.,) of Maine, here interposed to say that Mr. Nelson had read a paragraph from the Message of the Governor of Tennessee, in which it was charged that the Republican party intend to abolish Slavery in the District of Columbia, and the Slave-trade between the States. Mr. Morse said that never since the organization of the Republican party has any man, North or South, ever heard a Republican take any such ground. It was never seen in any Republican platform or speech, and the Republican party do not want to do any such thing.

Mr. Nelson was glad that the gentleman has thus expressed himself. In the same message of the Governor of Tennessee, it was gravely charged that the Republicans exalted murder, insurrection, arson, and heroized the

Nelson's Speech.

perpetrators of such crimes as saints and martyrs; but notwithstanding this, Mr. Nelson said, if you judge of a party by its platform, it distinctly denounces raids and interference with Slavery in the States. He made this remark for the sake of truth, and for the benefit of the people of Tennessee—"let justice be done though the heavens fall." [Applause.] The Governor of Tennessee also says that Mr. Lincoln advocated equality between the black and white race, but it is known that Mr. Lincoln in his discussion with Mr. Douglas, disavowed any such doctrine. He (Nelson) made this statement here because Secession is sweeping over Tennessee from such influences as this, and it was impossible to arrest it, save by compromise. He then read an extract from a letter he had received from a friend in Tennessee, who was as much a friend to the Union as any man in it. The writer says he is sorry to say that the cause of Secession is gathering strength there, because the Republicans refuse to do anything in the way of conciliation. If nothing in the way of compromise is done by the 4th of March, Tennessee will go out of the Union.

An interruption here occurred, made by Burnett, of Kentucky, which called up others in reply to preposterous insinuations, when Judge Nelson resumed, alluding to a remark in the message of Ex-Governor Gist, of South Carolina, in which the latter recommended to the Legislature of that State to pass a law to prevent the introduction therein of slaves from the Border States, the design of which was to drive those States into the disunion movement. South Carolina was the first to put herself in an attitude of rebellion, and the Cotton States followed her lead. Was it right to drag the Border States into Secession, whether they are willing or not? As a Tennessean, he raised his voice against tyranny everywhere. He would raise it against tyranny from the North, and all attempts to exercise it by the South.

Mr. Craige, (Dem.,) of North Carolina, reminded Mr. Nelson that other Southern States had passed laws forbidding the introduction of slaves, and said that shortly after the John Brown raid, South Carolina sent Commis-

sioners to Virginia, proposing a consultation among all the Southern States.

Nelson's Speech.

But Virginia had positively refused.

Mr. Nelson continued, that he considered Ex-Governor Gist's movement an insult to the Border Slave States. If he understood the people of Tennessee, they were not to be coerced. They would not submit to dictation from any quarter under heaven. [Applause.] I say that they should resist this attempt to coerce them, and they should resist it, if needs be, with arms, and to the death. The disunion movement does not recommend itself to the people of Tennessee, either in argument or in the manner it was gotten up. The people in South Carolina are already groaning under taxation, and heavy burdens, and if Tennessee should fall into the movement, the tax-gatherers will soon be at every door. If war comes, it will not be fought by those who want to be masters, but by the farmers and laboring men. He would ask them, are you willing to submit to this to build up a pampered aristocracy in the South, or a military despotism? [Applause in the galleries.] Men in the South are afraid to speak their sentiments. Let the South beware of a military despotism! He could not recognize the claims of South Carolina to secede, for he remembered something of her past glory, and he would vote to receive her once more into this Confederacy, wrong as she and other States have acted. Let them retrace their steps, and let us all do just and right toward one another, and if we do this the present difficulties will soon pass away.

The effect of this speech was most happy. It led the Southern Unionists to hope for a common rallying point. To the Republicans (taken in connection with the speeches of Millson and Clemens, of Virginia,) it strongly appealed by showing that compromise might at least save the Border States to the Union, and thus defeat the plans of the conspirators, whose programme comprised a confederacy of all the Slave States. It strengthened the hopes of the friends of compromise, and equally alarmed the disunionists.

Leake, (Dem.,) of Virginia, sought to parry the force of Nelson's conciliatory declara-

Leake's Tirade.

tions, by a violent declamation against the Republicans, as a party, charging upon it the authorship of all the evils under which the country staggered—the North had, in its madness, sanctioned crime, canonized murder, and made it a high crime and misdemeanor to obey laws passed by virtue of the Constitution. It was the North which had broken the unity of the States; it had refused a compliance with constitutional obligations, and offered a premium on perjury.

This tirade called out Sherman and Cox, of Ohio, who showed the groundless character of the aspersions directly levelled at Ohio; and Vandever, of Iowa, showed that his State was not amenable to such censure. Pottle, (Rep.,) of New York, answered Leake's

violence in a temperate, but determined manner. He

Pottle's Remarks.

assumed that every grievance complained of could be, ought to be, and would be, redressed, in a constitutional manner—that the Constitution was supreme for good, and tolerated no wrong to any section, State or individual. He vindicated the principles of the Republican party from the uncalled for, unwarrantable and evidently wicked perversions of those conspiring to break up the Union. To those who assumed an attitude of irreconcilable hostility to the incoming Administration, the Republicans could not, and would not, give one inch. If compromise is asked of them it must also be given. No compromise which does not look to the protection of the rights of the citizens of all the States under the Constitution, could receive his sanction. The North is for the enforcement of the laws, and will vindicate the flag from insult. It had but one motto, "The Union—it shall be preserved."

Saturday's session was characterized by an interesting episode, growing out of a resolution by Grow, (Rep.,) of Pennsylvania, that the Select Committee of Five, appointed

Commission of Inquiry.

on the 7th instant, be instructed to inquire whether any secret organization, hostile to the United States, exists in the District of Columbia, and, if so, whether any officer or employee of the Federal Govern-

ment, in the Executive or Judicial Departments thereof, was concerned therein.

Burnett, of Kentucky, did not believe in the existence of any such conspiracy, and conceived the resolution to be a "miserable, contemptible mode of engendering bad feeling, making excitement worse." Grow protested that he *had* evidence sufficient to base the resolution upon. Branch, of North Carolina, objected to the resolution, until he should see the Chairman of that Select Committee, (Howard of Michigan), in his seat, and feel assured that it met his approval. Grow answered, that it had his approval. The following passage then occurred:

Mr. Grow—"I have reason to believe there was such a design entertained by some persons in the employment of the Government. To what extent it has gone I don't know. For that reason I offered the resolution. If gentlemen on the other side don't want to investigate the subject they can object, and that would afford better evidence that there is something in it."

Exciting Passage.

Mr. Burnett—"I have not objected to the resolution. If the member says there is reason for investigation, he shall have an investigation as thorough as he desires. Therefore there was no necessity for the remark that objection would afford evidence of the existence of a conspiracy."

Mr. Grow—"I demand the previous question."

Mr. Maynard, (Am.,) of Tennessee—"I claim the right to say a word personally to myself."

Mr. Grow—"I ought to have said the gentleman from Tennessee yesterday afternoon objected to the resolution because of the fewness of the members then present."

The Speaker—"The question is now on the adoption of the resolution."

Mr. Kunkle, (Dem.,) of Maryland—"I object to the resolution."

Cries from the Republican side, "Too late."

Mr. Kunkle—"I announced my intention to object to it long since. As the gentleman from Pennsylvania indulged in some remarks reflecting on this side of the House, and as he desires some one to take the responsibility of objecting to this miserable imposition or reflection on the people of Maryland, there is one here to object, and I am he."

Mr. Grow—"I called the previous question."

Mr. Branch—"I said I would object until the Chairman came in, but I have since been informed that the resolution was agreeable to him."

Mr. Kunkle—"I have my rights on this floor, and they cannot arbitrarily be taken from me by any

Exciting Passage. man. I have a right to object to the resolution, under the rule, as soon as I get the recognition of the Speaker. I will never relinquish my rights. I repeat my objection."

The Speaker said he would not attempt to deprive the gentleman of any right, but the gentleman from Pennsylvania demanded the previous question before the gentleman from Maryland was recognized by the Chair.

Mr. Kunkle—"I was on the floor."

The Speaker—"But the gentleman was not recognized."

Mr. Kunkle—"I am aware that the gentleman who occupies the chair is not well disposed toward me at any time."

Calls from the Republican side to order.

Mr. Craige, (Dem.,) of North Carolina, wanted to offer an amendment.

Mr. Grow—"I have demanded the previous question."

Mr. Craige, amid much confusion, indicated his amendment that the Committee further inquire by what authority troops were stationed on the southern side of the Capitol. Was it to control the proceedings here at the point of the bayonet and the mouth of cannon?

Grow carried his point, and the resolution was adopted. The conspirators were fairly beaten. Howard, of Michigan, as President of the Commission to Kansas, proved how dangerous a person he was to all evil doers, and that the investigation proposed would be most unflinchingly made the disorganizers had good reason to feel.

Thomas, (Dem.,) of Tennessee, laid before the House the Resolutions of the Tennessee Legislature, [see pp. 247-248,] in response to the New York members.

Clark's (of Mo.,)
Speech.

The consideration of the Corwin Report was then resumed. Clark, (Dem.,) of Missouri, having the floor, addressed the House. His remarks were of the usual character of those already made by gentlemen of the Secession school. Being hard pressed, however, he confessed that "he would first exhaust all constitutional means; but he would tell the Republicans that, unless something was speedily done to restore peace, and give the Border States guarantees of their constitutional rights, the Union cannot be preserved; and they will go where they can find their interests better protected. He

hoped, however, that they would be spared from such a necessity."

Mr. Gilmer, (Am.,) of North Carolina, followed, Gilmer's Speech in a carefully considered speech. It was listened to with much interest, as indicating North Carolina sentiments. His views were "conservative," and his condemnation of secession hearty. For thirty years, he said, South Carolina had been engaged in trying to bring Southern mind up to its present point. She started with nullification as a *peaceful* remedy, but Jackson crushed it out. Then the idea of secession was born and studiously nursed, as a *peaceful* remedy for Southern ills. Nullification could never have many friends, and secession would have but very few, were it not for that decoy doctrine, the fruitful and seductive recommendation which was attached to it, that it was *peaceful* in character. Coming down to the history of events within the last twelve months, he said, the Democratic party had been broken up by the nullifiers and seceders at Charleston and Baltimore. Their nullifying friends, on that occasion, relied upon the action they might take in a *separate* Convention, which, it was said, contained many prudent and patriotic men. They did not *then* hold out the idea that the election of Lincoln would be a just cause for disrupting the Government. They held out the fact that they have made a *Union nomination*, and placed at the head of their ticket Union-loving men. But when they were charged with having had a design to disrupt the Government in case they were defeated, and in case Lincoln was elected, these men almost universally and generally, throughout the South, *denied the charge most manfully*. The men who controlled that party—the men who were first on the Breckenridge ticket, and who declared that nullification was peaceful, and secession was a proper and peaceful remedy—where were they now? They were scattered everywhere over the Southern States, doing all they could to destroy the Government and break up the Union. No counsel for delay, for calm consideration, came from them; but the wild and inflammable dispatches which flew over the South, to fire the Southern heart, betrayed their

Gilmer's Speech.

baleful influence in subverting the sentiments of the people to destroy the Union.

Mr. Gilmer then adverted to the dangerous character of the Virginia manifesto, [See page 247.] It contained two propositions, alike fallacious and destructive, namely, that Virginia's only safety was to leave the Union, and, second, that such a course was the only way to reconstruct the Union. He also adverted, in the same connection, to Senator Clingman's letter to a leading North Carolina paper, in which the Senator explicitly warned the people that it was the determination of the Republican party to subjugate the South, and, finally, to abolish Slavery in the States even at the risk of civil war! There was a purpose in this most wicked, most baleful misrepresentation to the people; but, he knew if the people of the Border States could be assured that the object of these men who were hurrying the South into extremes was to break up the Union, they would shudder with horror at the very idea, as the men who voted for Breckenridge would, at the knowledge of the truth, had they been told, as they ought to have been told, that the men who put Mr. Breckenridge in nomination *intended* to break up the Union if they failed. They would have shuddered at the idea of assisting in such a work. The honest farmers and mechanics and traders of the South would shudder if they were told that the movement, represented to them as one intended for the purpose of securing Southern rights under a reconstruction of the Government, was, in fact, *designed* by the men of the Baltimore platform, to dis sever the Union and break up the Government. The men of the South would shudder at the great mistake they had made in voting in compliance with those secessionists and disunionists. They might as well hope to put together the delicate machinery of a watch, after it had been broken into atoms by the heavy strokes of a sledge-hammer, as to hope for a reconstruction of this Government and Union, after a virtual separation.

The speaker earnestly pressed the re adoption of the Missouri Compromise. He did not advocate concession *because* of revolution; but thought that, immaterial as the conces-

sion was, it would disarm the false statements so sedulously made to bewilder and

lead astray the mass of the Southern people. Only *prove* to them the baseness of the representations made, and the power of the conspirators for harm would be gone. He said:—"There was not a man in the House who would put his hand on his breast and say that he believed that the concession would make one Slave State more or less, or the Free States one more or less. Let them do this, and the question would be settled forever, and those disunionists who were still among them would go hence, weeping and wailing and gnashing their teeth, at the downfall of all their cherished hopes and ambitious designs."

He elaborated on the various propositions made, and favored that of Mr. Corwin as best to allay excitement, to restore confidence, and to save the Border States from the revolution. He thus closed:—

"If these things go on unchecked, then civil war is inevitable. Then prepare to see your country laid waste, all the channels of communication and trade broken up, their shipping destroyed and their commerce ruined, their fields drenched with blood, and their homes desolated. Then would wives, and mothers, and sisters, reproachfully ask them, why it was they had done nothing to ward off the calamities of the land? Why did they not say something, when they had the opportunity, that would have averted those terrible evils? In those days the remembrance of what they might have done to save their country from this saturnalia of horrors will come to torment them, and then a harvest of punishment will be in that retrospection. He would ask them while there was yet time, would they, on a mere abstraction, the surrender of which could do them no harm, precipitate ruin on the country? He begged gentlemen to take these things to heart, and offer this basis of conciliation to their brethren of the South. He would not envy the feelings of men, North or South, who would at this time, in the dread hour of impending calamity upon them, here now in this Congress, not unite heart and hand to settle this terrible controversy by yielding a petty, trifling abstraction."

This speech, so excellent in spirit, so strong in fact, so suggestive for action, stood out in strong contrast to the wild logic and irrational statements of Mr. Clingman. North Carolina's misfortune was to have been *misrepresented* by her Senator, for it is incontestable that Mr. Gilmer, at the date under con-

Gilmer's Speech.

sideration, embodied the feelings and wishes of the vast majority of the people of his really conservative State.

Mr. Alley, (Rep.) of
Alley's Speech. Massachusetts, followed.

He wondered at disunion, since, to the South especially, it was suicide. The North, he conceded, would at first suffer, but her gigantic resources would soon recover from the changes of trade, when she would open for herself new channels equal to all her requirements. Indeed, he thought the North would be better off, commercially, so long as there was such a want of harmony and confidence between the two sections. To expect the North, which stood upon the Constitution, which adopted the old and long-settled views of Washington, Jefferson and other fathers of the Government on the question of Slavery, was going to humble itself before the arrogance of the Slave power was simply preposterous. The North stood, on that question, precisely where the great men of the South had always stood until within a very recent period. Because the South had changed front was no reason why the North should do the same, and abandon its deep-rooted convictions in giving constitutional guarantees and protection to Slavery. The North had no power, no desire to interfere with Slavery in the States, but they would be degenerate sons of most worthy sires if they consented to the extension of Slavery in the Territories. The South, he said, had had possession of the National Government for more than half a century, and her sons had monopolized a large share of the offices and emoluments, and received the lion's share of appropriations. The North had paid for many years more than three-fourths of the revenue, and most of it had been spent for the benefit of the South. The South, in its arbitrary exercise of power and its propagandism, had a parallel in the reign of James II., who was a propagandist of the Roman Catholic religion. To serve that interest, he abused his power, violated the Constitution, and was driven into exile as a reward for his tyranny. So it was with the Slave Power—it had been driven into exile,

he trusted, as returnless as that of James II. He vindicated Massachusetts; she would be true to all her constitutional obligations. Her fidelity to the Union was but the record of her history. He vindicated her Governor, and said that Massachusetts had had twenty-one Governors since 1780—all of them able and distinguished—most of them eminent—some of them illustrious men, and, in everything that constituted true greatness of mind and character, not one among them all was superior to John A. Andrew. He had faith in the wisdom and patriotism of the American people, and if they were true to their convictions, they had a future most hopeful, a mission most important, a destiny most glorious.

A review of this week's
proceedings will show that
the disunion movement had
bitter opponents in Southern men, and that, could they have been heard effectually by the people of the Border States, both Virginia and North Carolina would have been spared the dreadful plunge. But, so true is it that the machinations of the Evil One are more potent with men than the quiet promises of Angels, that the revolution gained force even as there dawned hope of staying it. The disunion leaders at Washington fairly burdened the mails to the South with their treasonable and baleful correspondence and documents. Did a member from a Slave State make a Union speech, immediately there was dispatched to his district such a counter-flood of falsehood and calumny as not only impaired his own standing with his constituents, but added immeasurably to the disunion sentiment. It was by such means—means whose invention would have added new lustre to Machiavel's crown of dishonor—that Tennessee, North Carolina and Virginia were given up to the embraces of the monster whose very breath was political and social poison. We can imagine that the Angels of Darkness bore to Lucifer's court glad tidings during those eventful days—that his galleries of glory became lustrous with the records of America's dishonored and dishonoring sons.

Resume.

CHAPTER XIX.

PRESSURE FOR COMPROMISE. MR. LINCOLN'S POLICY. THE PEACE CONGRESS APPOINTMENTS. MENACING ATTITUDE OF AFFAIRS IN CHARLESTON. COLONEL HAYNE'S FINAL DEMANDS. HIS LETTER TO THE PRESIDENT. MR. HOLT'S REPLY. THE POSITION OF THE GOVERNMENT.

Outside Pressure for
Compromise.

EVENTS of the closing week of January, tended to demonstrate the improbability of any settlement of the vexed questions between the North and South. A very strong pressure was brought to bear on Congress, by petitions, by letters, by special deputations, and by eminent men who gathered at the Capital to lend their influence to compromise. A delegation of thirty-three citizens, from Philadelphia, representing fifty thousand working men of that city, visited Washington January 30th. In a call upon Senator Crittenden, they stated their object to be to testify their love for the Union and their desire to urge the adoption of the Crittenden Compromise by Congress. Delegations were also present from New York and Boston, understood to represent the commercial interests of those great business centres. They, too, favored the Crittenden propositions, and urged powerful monetary reasons why a settlement should be made. Great influence was exerted by the voice from Wall street. A conference of members of the Border States was held, January 30th, at the request of the delegation from New York city. The delegation urged that, as the Republicans would not receive the Crittenden resolutions, some other practical proposition should be devised which did not require any surrender of principle at their hands. Several members from the Border Slave States expressed a willingness to accept the Corwin propositions, "with proper modifications," and even the lately belligerent Rust, of Arkansas, is represented as having exhibited a conciliatory disposition—so humanizing and harmonizing was the power of gold. Al-

though no definite proposition grew out of the Conference, it was conceived to have done much good in lessening the divisions between the widely dissevered parties.

Dispatches to the Associated Press, from Washington, January 28th, made, among others, the following announcements:

News Dispatches.

"Affairs wear a more hopeful aspect. A large number of distinguished gentlemen, from all parts of the country, are encouraged by the prospect of being able to contribute to a restoration of good feeling between the two sections. The repeal of the Personal Liberty bill in Rhode Island and the late action of the Ohio Legislature on the same subject are hailed by the friends of the Union as harbingers of peace.

"The Boards of Trade of Milwaukee and Chicago paid their respects, to-day, to President Buchanan and to Senators Douglas, Seward and others. In their interview with the President he said: "If Mr. Lincoln shall enjoy his accession to power as much as I do my retirement from it, he will be a happy man." Senator Seward, in the course of his conversation with the Members of the Boards, said: "Heretofore the cry has been raised to save the Union, when the Union was not in danger. I tell you, my friends, the question of Slavery is not now to be taken into account. We must save the Union. Then we save all that is worth saving.

"The great point now aimed at by the friends of the Union is to avoid all pretext for a collision by the Seceding States, in the hope that the 'sober, second thought of the people,' if adjustment measures shall be presented, will induce them to resume their connection with the Federal Government.

"The friends of the Union are much encouraged by the prompt responses to the invitation for Commissioners from the several States to meet in Convention here on the 4th of February, and it is believed the action of the Convention will command

the support of a large majority of both branches of Congress.

"It is now certain that private letters have been received from Mr. Lincoln, urging his friends to conciliation and compromise, and it is stated that he indicates the Border State resolutions as a reasonable basis of adjustment. The assurance is given that this information is reliable. Soon after the Electoral vote shall be counted in the presence of the two Houses of Congress, on the second Wednesday in February, Mr. Lincoln will acquaint the public with his views on the pending crisis. Heretofore he has not felt that it was proper for him, in advance of the official declaration of his election, to take a prominent part in the direction of political affairs."

Mr. Lincoln's
Position.

This latter dispatch created much remark, particularly in Republican circles,

with whom compromise by concession was rapidly becoming unpopular. It received, however, an early rejoinder from Springfield, Ill. The *Journal*, of that city, understood to speak for Mr. Lincoln, in its issue of January 29th, said: "The country may rest assured that in Abraham Lincoln they have a Republican President—one who will give them a Republican Administration. Mr. Lincoln is not committed to the Border State Compromise, nor to any other. He stands immovably on the Chicago Platform, and he will neither acquiesce in, nor counsel his friends to acquiesce in, any compromise that surrenders one iota of it."

This was confirmed by an editorial in a leading Republican journal of New York city, which, in its issue of the 30th, said of the news dispatch:

"We do not hesitate to say that these statements are false and calumnious. We have the best authority for saying that Mr. Lincoln is opposed to all concessions of the sort. We know that his views are fully expressed in his own language as follows: "

"I will suffer death before I will consent or advise my friends to consent to any concession or compromise which looks like buying the privilege of taking possession of the Government to which we have a constitutional right; because, whatever I might think of the merit of the various propositions before Congress, I should regard any concession in the face of menace as the destruction of the Government itself, and a consent on all hands that our system shall be brought down to a level with the existing disorganized state of affairs in Mexico. But this thing will hereafter be, as it is now, in the hands of the people; and if they desire to call a Convention to remove any grievances complained of, or to give new guarantees for the permanence of vested rights, it is not mine to oppose."

The same journal added, as to the real attitude of the party:

"This is not only to be taken as Mr. Lincoln's declaration of his own views, but it amply expresses the conviction of every unshaken Republican as to the duty of the hour. First inaugurate the new Administration and determine the question of questions whether we have a Government, or only a Mexican anarchy; and when that problem is disposed of, it will be time enough to consider and settle matters of inferior consequence."

The speeches made, during the week, by leading Position of his Party. Republicans confirmed this view. Wilson, of Massachusetts, Thaddeus Stevens, of Pennsylvania, Adams, of Massachusetts, Seward, of New York, Conkling, of New York, and others, while they deprecated a course likely to precipitate matters, still were so firm in their Union sentiments, and so resolute in demanding the fullest obedience to the laws, that the country felt their minds were made up against concessions to the extent demanded. Both Messrs. Seward and Adams were eminently conciliatory; both strove so to harmonize feelings as to place the responsibility of further revolution on the Border Slave States. But, the stern fact that South Carolina disdained to be represented at the "Peace Congress" [see page 256,] and, speaking for the States soon to gather at Montgomery to establish a new Confederacy, gave indications that no settlement was wanted or was possible,* the declarations of withdrawing members, and of Pryor, of Virginia, proving that concessions would prove futile

* The Charleston *Mercury*, in its issue of January 25th, expressed the feeling of its partisans as regarded compromise in these words:—"What remains to us still, to be surrendered by compromise? Our homesteads, agriculture, slaves, wives, and children. And these may very soon go, where a people are represented by those who seem to have compromised away their own manhood. Verily, the attitude they now exhibit, supplicants at the feet of Black Republicanism, for simple words of fraud and evasion, which will enable them still to compromise away the rights and securities of a people, strips them of all claim, whether as men of sense or men of honor; and, if Black Republicans should spurn them, as Antonio spurned and spat upon Shylock, their proper speech would be, in the language of Maworm in the play: 'We loves to be contemptible!'"

to restore the seceded States—all tended to confirm the conviction prevailing, to a great extent, in all the Free States, that compromise would not only prove useless but would savor of weakness, and must, therefore, in no small degree, commit the new Administration to a line of policy at once embarrassing and humiliating. Mr. Lincoln's position unquestionably was wisely chosen, so far as he was concerned; and daily the public mind became convinced that his "non-committalism," at least, was prudent and sagacious.

The appointment, by the Governors and Legislatures of the several States, of "Commissioners" to the "Peace Congress," pretty clearly indicated the character of that assemblage of men. As a general thing "conservatives" were chosen. So decidedly did the cool and cautious element predominate that it was called "the Old Gentlemen's" Congress. The appointments, as announced, were as follows:

Pennsylvania: Wm. M. Meredith, Ex-Gov. Pollock, David Wilmot, Judge Thos. White, Thos. E. Franklin, A. W. Loomis, and Wm. McKennan.

Ohio: Ex-Gov. Salmon P. Chase, Hon. Thos. Ewing, Judge J. C. Wright, Wm. Groesbeck, Judge Reuben Hitchcock, Judge J. T. Backus, and V. B. Horton.

Kentucky: Hon. James Guthrie, Gen. Wm. O. Butler, Ex-Gov. Wickliffe, Ex-Gov. Moorehead, Joshua F. Bell, and James B. Clay.

Maryland: Reverdy Johnson, Aug. W. Bradford, Wm. S. Goldsborough, Jno. W. Crisfield, and J. Dixon Roman.

Missouri: Waldo P. Johnson, Judge Hough, Col. Doniphan, Judge Bereckner, and John D. Coulter.

New Hampshire: Amos Tuck, Asa Fowler, and Levi Chamberlain.

Rhode Island: Chief-Justice Ames, Alex. Duncan, Ex-Gov. Hoppin, Geo. H. Browne, and Saml. Y. Arnold.

Vermont: Ex-Gov. Hiland Hall, Lieut.-Gov. Levi Underwood, Gen. H. Henny Baxter, Hons. L. E. Chittenden and D. B. Harris.

Illinois: John Wood, Gustavus A. Korner, Stephen T. Logan, Thos. J. Turner, and Burton C. Cook.*

Indiana: Hon. Caleb B. Smith, P. A. Huckleman, G. S. Orth, E. W. H. Lewis, and T. C. Sloughton.

Massachusetts: Jno. B. Goodrich, Chas. Allen, Ex-Gov. Boutwell, M. Forbes, Francis B. Crowningshield, Theo. P. Chandler, and Richard P. Waters.

New York: David Dudley Field, Wm. Curtis Noyes, James C. Smith, Amaziah B. James, James S. Wadsworth, Erastus Corning,

up under Mr. Lincoln's supervision. They were adopted February 1st, and read as follows:

"Whereas, Resolutions of the State of Virginia have been communicated to the General Assembly of this State, proposing the appointment of Commissioners by the several States, to meet in Convention on the 4th day of February, 1861, at Washington.

"Resolved, by the Senate, the House of Representatives concurring herein, That with the earnest desire for the return of harmony and kind relations among our States, and out of respect to the commonwealth of Virginia, the Governor of the State be requested to appoint five Commissioners on the part of Illinois to confer and consult with the Commissioners of other States who shall meet at Washington; provided, that said Commissioners shall at all times be subject to the control of the General Assembly of the State of Illinois.

"Resolved, That the appointment of Commissioners by the State of Illinois in response to the invitation of the State of Virginia, is not an expression of opinion on the part of this State that any amendment of the Federal Constitution is requisite to afford to the people of the Slaveholding States adequate guarantees for security of their rights, nor an approval of the basis of settlement of our difficulties proposed by the State of Virginia, but it is an expression of our willingness to unite with the State of Virginia in an earnest effort to adjust the present unhappy controversy in the spirit in which the Constitution was originally framed and consistently with its principles.

"Resolved, That while we are willing to appoint Commissioners to meet in Convention with those of other States for consultation upon matters which at present distract our harmony as a nation, we also insist that the appropriate constitutional method of considering and acting upon the grievances complained of by our sister States would be by the call of a Convention for the amendment of the Constitution in the manner contemplated by the fifth article of that instrument; and if the States deeming themselves aggrieved shall request Congress to call such Convention, the Legislature of Illinois will and does concur in such call."

* The Illinois Legislature resolves relating to the Commission, were understood to have been drawn

Addison Gardiner, Greene C. Bronson, Wm. E. Dodge, Ex-Gov. John A. King, and Maj.-Gen. John E. Wool.

Iowa, New Jersey, Connecticut, Delaware and North Carolina were also properly represented.

Affairs at Fort Sumter remained unchanged at the assembling of the Confederate Congress, February 4th. Anderson's industry had enabled him to mount sufficient guns, bearing on the opposing fortifications, to make a stern defence in event of an assault. Works continued to go up on Morris, Sullivans' and James' Islands. The activity of South Carolinians betokened a stubborn spirit of war. Among other instruments of offense a floating battery was under construction, during January, which gave promise of proving a formidable engine of destruction. It was designed to mount a number of heavy guns, and to be worked at any convenient point. Being constructed of green pine and palmetto logs and ribbed with heavy railroad iron, it was regarded as impervious to shot. Its construction, as well as the erection of several elaborate batteries and defences on the islands named, proved that the beleaguered eighty men would experience the hazard of a terrific assault, when the word was given to open fire on Sumter.

Colonel Hayne, the South Carolina Commissioner to the Federal Government, made his final demand of the President, Thursday, January 31st. His first call was made on the President, January 15th [see page 244.] He was, however, induced, by the influence of Jefferson Davis and nine other Senators, to make no formal demand, as at that time his orders seemed to require; and the telegraph to Charleston was freely used by these parties, in their endeavors to hold the matter in abeyance. These gentlemen opened, in the stead of Colonel Haynes, a correspondence with the President, which was turned over to Secretary Holt to answer [see page 254, &c.] Colonel Haynes' final demand, however, was made January 31st. The concluding portion of his letter to the President read as follows:

"To send reinforcements to Fort Sumter, could not serve as a means of protecting and preserving the property, for it must be known to your

Government that it would inevitably lead to immediate hostilities in which property on all

Col. Hayne's Final Demand.

sides would necessarily suffer. South Carolina has every disposition to preserve the public peace, and feels, I am sure, in full force, those high Christian and moral duties referred to by your Secretary; and it is submitted that on her part there is scarcely any consideration of mere property, apart from honor and safety, which could induce her to do aught to the prejudice of that peace, still less to inaugurate a protracted and bloody civil war. She holds her position on something higher than mere property. It is in consideration of her own dignity as a sovereign, and the safety of her people, which prompts her to demand that the property should not longer be used as a military post by a Government she no longer acknowledges. She feels this to be her imperative duty—it has, in fact, become an absolute necessity of her condition. Repudiating, as you do, the idea of coercion, avowing peaceful intentions, and expressing a patriot's horror of civil war and bloody strife, among those who were once brethren, it is hoped that, on further consideration, you will not, on a mere question of property, refuse the reasonable demand of South Carolina, which honor and necessity alike compel her to indicate. Should you disappoint this hope, the responsibility for the result surely does not rest with her. If the evils of war are to be encountered, especially the calamities of civil war, elevated statesmanship would seem to require that it should be accepted as the unavoidable alternative of something still more disastrous, such as national dishonor, or measures materially affecting the safety or permanent interests of a people; that it should be a choice deliberately made and entered upon—war and its set purpose. But that war should be the incident or accident attendant on a policy professedly peaceful, and not required to effect the object which is avowed as the only end intended, can only be excused where there has been no warning given as to the consequences. I am instructed, further, to say that South Carolina cannot, by her silence, appear to acquiesce in the imputation that she was guilty of an act of unprovoked aggression, in firing on the Star of the West. Though an unarmed vessel she was filled with armed men, entering her territories against her will, with the purpose of reinforcing a garrison held within her limits and against her protest. She forbears to recriminate by discussing the question of the propriety of attempting such reinforcement at all, as well as of the disguised and secret manner in which it was intended to be effected, and on this occasion she will say nothing as to the manner in which Fort Sumter was taken into the possession of its present

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occupant. The interposition of the Senators who have addressed you was a circumstance unexpected by my Government, and unsolicited, certainly, by me. The Governor of South Carolina, while he appreciates the high and generous motives by which they were prompted, and while he fully approves the delay which, in deference to them, has taken place in the presentation of this demand, feels that it cannot longer be withheld. I conclude with an abstract from instructions just received by me from the Government of South Carolina :

'The letter of the President through Mr. Holt may be received as the reply to the question you were instructed to ask. As to his assertion of his right to send reinforcements to Fort Sumter, you were instructed to say to him, if he asserted that right, that the State of South Carolina regarded such a right when asserted, or with an attempt at its exercise, as a declaration of war. If the President intends it shall not be so understood, it is proper to avoid any misconception hereafter, that he should be informed of the manner in which the Governor will feel bound to regard it. If the President, when you have stated the reasons which prompt the Governor, in making the demand for the delivery of Fort Sumter, upon the pledge you have been authorized to make, should refuse, you will communicate that refusal without delay to the Governor. If the President shall not be prepared to give you an immediate answer, you will communicate to him that his answer may be transmitted within a reasonable time to the Government at this place, (Charleston.) The Governor does not consider it necessary that you should remain longer in Washington than is necessary to execute this, the closing duty of your mission, in the manner now indicated to you. As soon as the Governor shall receive from you information that you have closed your mission, and the reply, whatever it may be, of the President, he will consider the conduct which may be necessary on his part.'

"Allow me to request that you will, as soon as possible, inform me whether, under these instructions, I need await your answer in Washington, and if not, I would be pleased to convey from you to my Government information as to the time when an answer may be expected in Charleston."

The reply to this communication was not made until February 6th, when it was answered, at some length, by Secretary Holt. It is an important paper in all its bearings, in defining what must be the relation of the Federal Government to its property everywhere, what its rights of jurisdiction, and the nature of its political supremacy. We therefore give it at length :

Secretary Holt's Rejoinder.

"WAR DEPARTMENT, }
Feb. 6, 1861. }

"SIR: The President has received your letter of the 31st ult., and has charged me with the duty of replying thereto. In the communication addressed to the President by Gov. Pickens, under date of the 12th January, and which ac-

companied yours now before me, his Excellency says :

Secretary Holt's Rejoinder.

'I have determined to send to you the Hon. J. W. Hayne, the Attorney-General of the State of South Carolina, and have instructed him to demand the surrender of Fort Sumter in the harbor of Charleston to the constituted authority of South Carolina. This demand I have made of Major Anderson, and which I now make of you, is suggested, because of my earnest desire to avoid the bloodshed which a persistence in your attempt to retain the possession of that fort will cause, and which will be unavailing to secure to you that possession, but induce a calamity most deeply to be deplored.'

"The character of the demand which was authorized to be made appears, under the influence, I presume, of the correspondence with the Senators to which you refer, to have been modified by the subsequent instructions of his Excellency, dated the 26th and received by yourself on the 30th of January, in which he says : 'If it be so, that Fort Sumter is held as property, the rights, whatever they may be, of the United States can be ascertained, and for the satisfaction of these rights, on the pledge of the State of South Carolina, you are authorized to give the full scope.' The precise purport of your instructions, as thus modified, you have expressed in the following words : 'I do not come as a military man to demand the surrender of a fortress, but as the legal officer of the State, its Attorney-General, to claim for the State the exercise of its undoubted right of eminent domain, and to pledge the State to make good all injury to the rights of property which arise from the exercise of the claim,' and lest this explicit language should not sufficiently define your position, you add : 'The proposition now is that her (South Carolina's) law officer should, under the authority of the Governor and his council, distinctly pledge the faith of South Carolina to make such compensation in regard to Fort Sumter and its appurtenances and contents, to the full extent of the money value of the property of the United States delivered over to the authorities of South Carolina by your command.' You then adopt his Excellency's train of thought upon the subject, so far as relates to the suggestion that the possession of Fort Sumter by the United States, if continued long enough, must lead to a collision, and that an attack upon it would scarcely improve it as property, whatever the result and if captured it would no longer be the subject of account.

"The proposal, then, now presented to the President, is simply an offer, on the part of South Carolina, to buy Fort Sumter and contents as *property* of the United States, sustained by a declaration in effect that *if she is not permitted to make a purchase, she will seize the Fort by force of arms.*

"As the invitation of a negotiation for the transfer of property between friendly Governments, this

Secretary Holt's
Rejoinder.

proposal impresses the President as having assumed a most unusual form. He has, however,

investigated the claim on which it professes to be based, apart from the declaration that accompanies it. And be it here remarked, that much stress has been laid upon the employment of the words 'property' and 'public property,' by the President, in his several messages. Those are the most comprehensive terms which can be used in such a connection; and, surely, when referring to a fort, or any other public establishment, they embrace the entire and undivided interest of the Government therein. The title of the United States to Fort Sumter is complete and incontestible. Were its interests in the property proprietary, in the ordinary acceptation of the term, it might probably be subjected to the exercise of the right of eminent domain. But, it has also political relations to it, of much higher and more imposing character than those of mere proprietorship. It has *absolute jurisdiction* over the Fort and the soil on which it stands. This jurisdiction consists in the authority to exercise exclusive legislation over the property referred to, and is therefore clearly incompatible with the claims of eminent domain now insisted on by South Carolina. This authority was not derived from any questionable revolutionary source, but from the *peaceful cession of South Carolina herself*, acting through her Legislature, under a provision of the United States. *South Carolina can no more assert the right of eminent domain over Fort Sumter than Maryland can assert it over the District of Columbia.* The political and proprietary rights of the United States, in either case, rest upon precisely the same grounds.

"The President, however, is relieved from the necessity of further pursuing this inquiry, by the fact that, whatever may be the claim of South Carolina to this Fort, he has not constitutional power to cede or surrender it. The property title in the State has been acquired by the force of public law, and can only be disposed of under the same solemn sanctions. The President, as the head of the Executive branch of the Government only, can no more sell and transfer Fort Sumter to South Carolina, than he can sell and convey the capital of the United States to Maryland, or to any other State or individual seeking to possess it. His Excellency, the Governor, is too familiar with the Constitution of the United States, and with the limitations upon the powers of the Chief Magistrate of the Government it has established, not to appreciate at once the soundness of this legal proposition.

"The question of reinforcing Fort Sumter is so fully disposed of in my letter to Senator Slidell, and others, under date of the 22d of January, a copy of

which accompanies this, that its discussion will not be renewed.

I then said: 'At the present moment it is not deemed necessary to reinforce Major Anderson, because he makes no such request. Should his safety, however, require reinforcements, every effort will be made to supply them.' I can add nothing to the explicitness of this language, which still applies to the existing status. The right to send forward reinforcements, when, in the judgment of the President, the safety of the garrison requires them, rests on the same unquestionable foundation as the right to occupy the fortress itself. In the letter of Senator Davis and others to yourself, under date of the 15th ult., they say, 'We therefore think it due from South Carolina to our States, to say nothing of the other Slaveholding States, that she should, as far as she can consistently with her honor, avoid initiating hostilities between her and the United States or any other power,' and you now, yourself, give the President the gratifying assurance that South Carolina has every disposition to preserve the public peace, and since he is, himself, sincerely animated by the same desire it would seem that this common and patriotic object must be of certain attainment. It is difficult, however, to reconcile with this assurance the declaration on your part that it is 'a consideration of her (South Carolina's) own dignity as a sovereignty, and the safety of her people, prompts her to demand that this property should not longer be used as a military post by a Government she no longer acknowledges.' The thought you so constantly present is, that this occupation *must* lead to a collision of arms and the prevalence of civil war. Fort Sumter is, in itself, a military post and nothing else, and it would seem that not so much the fact, as the purpose of its use, should give to it a hostile or a friendly character. This fortress is now held by the Government of the United States for the same objects for which it has been held from the completion of its construction. These are national and defensive, and were a public enemy now to attempt the capture of Charleston, or the destruction of the commerce of its harbor, the whole force of the batteries of this fortress would be exerted for their protection. How the presence of a small garrison, actuated by such a spirit as this, can compromise the dignity or honor of South Carolina, or become a source of irritation to her people, the President is at a loss to understand. The attitude of that garrison, as has been often declared, is neither menacing, nor defiant, nor unfriendly. It is acting under orders to stand strictly on the defensive, and the Government and people of South Carolina must well know that they can never receive ought but shelter from its guns unless, in the ab-

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Rejoinder.

sence of all provocation, they should assault it and seek its destruction.

"The intent with which this fortress is held by the President is truthfully stated by Senator Davis, and others, in their letter to yourself of the 15th of January, in which they say: 'It is not held with any unfriendly or hostile purpose toward your State, but merely as property of the United States, which the President deems it his duty to protect and preserve, If the announcement so repeatedly made, of the President's pacific purposes in continuing the occupation of Fort Sumter, until the question shall have been settled by competent authority, has failed to impress the Government of South Carolina, the forbearing conduct of his Administration, for the last few months, should be received as conclusive evidence of his sincerity; and if this forbearance, in view of the circumstances which have so severely tried it, be not accepted as a satisfactory pledge of the peaceful policy of this Administration toward South Carolina, then it may be safely affirmed, that neither language nor conduct can possibly furnish one. If, with all the multiplied proofs which exist of the President's anxiety for peace, and of the earnestness with which he has pursued it, the authorities of South Carolina shall assault Fort Sumter and peril the lives of the handful of brave and loyal men shut up within its walls, and thus plunge our country into the horrors of civil war, then upon them and those they represent must rest the responsibility.—Your obedient servant,

(Signed)

"J. HOLT,

"Secretary of War.

"To Hon. I. W. Hayne, Attorney-General of the State of South Carolina."

Col. Hayne's answer to

Col. Hayne's Reply

this able document was not sent in by the President to

Congress along with his message of Feb. 8th, as it came too late for transmission. The position assumed by Mr. Holt only made Gov. Pickens too glad to turn over the question of occupancy to the Southern Confederacy. No apprehensions existed in Washington of an assault by the Governor's orders. The only danger was in the rashness of the war faction, which, led by the fiery *Mercury*, fairly chafed under the Governor's refusal to precipitate matters. It was considered "humiliating that that offensive rag (the Stars and Stripes) should be flaunted in their faces, and that a handful of men should be permitted to insult the dignity of the State by their presence." Nevertheless, the Governor did not order the

assault, and the ardor of the troops spent itself in expediting the works on the islands and in doing guard duty. To prevent reinforcements being thrown into Sumter was the order, and a most unceasing vigilance reigned over the waters and approaches.

Of the general news of

the week we may mention News of the week the following items:

January 27th, the Kentucky Legislature adopted, almost unanimously, the Virginia resolutions, guaranteeing the right of transit of Slaves through Free States.

January 29th, the Missouri Legislature adopted resolutions, reported from the House Committee on Federal Relations.

January 30th, the Grand Jury of Washington City found true bills of indictment against Godard Bailey, Wm. H. Russell, and John B. Floyd, as follows: Three cases against Bailey for larceny, in abstracting the bonds intrusted to his custody; one joint indictment against Bailey and Russell, for abstracting the missing bonds: three indictments against Russell, for receiving the stolen bonds, and one joint indictment against Bailey, Russell and Floyd, for conspiring together to defraud the United States Government.*

January 30th, the North Carolina Legislature, after many days of debate, decided to call a State Convention.

* A dispatch from Washington, February 1st, thus stated the matter:—

"It is ascertained that Mr. Floyd's whole acceptances were \$6,900,000. Of these Mr. Russell and partners retired about \$3,000,000, first and last, and can account for half a million more. It therefore appears that at least \$3,000,000 are still floating about, held by innocent parties, or were discounted by banks and individuals. Mr. Bailey, who abstracted the bonds from the Interior Department, has never been examined before the Committee of Investigation, and for legal reasons, which may appear hereafter. The act of 1857, which is supposed to relieve witnesses of Congressional Committees from prosecution, will doubtless be pleaded for the benefit of some of the parties to this mammoth robbery. Lawyers already maintain that the indictment against Messrs. Russell, Floyd and Bailey for a conspiracy to defraud the Government, is for a crime not known in the criminal statutes. They will all probably escape punishment."

CHAPTER XX.

COMPROMISE IMPOSSIBLE. IVERSON'S FAREWELL. VIRGINIA'S POSITION. TEXAS SENTIMENT. VARIOUS PROPOSITIONS. THE SPEECHES OF PRYOR, STEVENS, HARRIS, WINSLOW, VAN WYCK, CONKLING, LATHAM, HAMILTON, AND OTHERS. COCHRANE'S IMPOST BILL. KELLOGG'S RESOLUTIONS, ETC., ETC.

Irreconcilable Differences.

If public interest in the proceedings of Congress did not become intensified as the session advanced, it was from weariness of debate and not from want of importance in the doings of both Houses. The week under consideration—the ninth of the session—witnessed efforts of great power and significance from leading men; and, though no advance was made toward the ardently wished-for peaceful adjustment of sectional differences, it was rather from the absolutely irreconcilable nature of those divisions than from a want of the spirit of kindness and conciliation. With very few exceptions, Congressmen not only felt kindly toward each other, but strove, in their very hearts, to accomplish the peace so congenial, so desirable to all. Outward things urged them to compromise; the prosperity of the country, the happiness of the people, the hopes of the future all seemed to hang upon that word; while the truly self-sacrificing spirit of the mass of members plead with them on the floors and in the quiet of their chambers for peace, peace. That peace nor compromise grew out of their labors was owing solely to the gulf of *principle* which lay between the contestants. No subtle ingenuity of leaders could bridge it even with a frail tracery of meaningless words; its depths neither party would consent to fill up by the melting away of their own mountains of political and social antagonisms. The South stood ready and solicitous to treat; but it named as its terms what the Republicans could not yield without sacrificing the heart-principle of their party organization. It claimed a recognition of property in man—it exacted a consti-

tutional clause to guarantee that recognition against any future legislation—it demanded the division of the unsettled domain, whereby a due proportion should forever be debarred to freedom and consecrated to slavery. To concede the claim—to accede to the demand—were to confess the election of Mr. Lincoln to be a wrong, the Republican party to be a dangerous political organization, the Constitution to be imperfect, and the principle of a majority rule to be a fiction. At least, so reasoned the masses of the party—so felt their leaders in Congress; and, so reasoning and feeling, to have compromised upon any plan offered, would have argued an abasement of which they could not be guilty. The South had raised the standard of revolution to *force* the concessions demanded; therefore she would not accept less. To have accepted less would have argued defeat, at once foreign to its spirit and its principles.

Hence, though Mr. Seward offered the olive branch—though Mr. Adams poured oil upon the seething waters—though patriotic Southern men extended hands for fellowship, there swept beneath the outward sea of troubles a tide of feeling, a strength of purpose, which words were powerless to calm. The great ship of state staggered before the storm. Not even jurymasts of compromise would hold—not even staysails of resolutions would stand—not even the ponderous flukes of the Constitution anchor would grapple to make her fast. But, with a seemingly blind instinct, she drifted off the lee-shore and gained an offing, where to ride down the elements in comparative safety to her hull. Though upper-works and motive-power were gone, if the hull were left unshattered, all

might be repaired, and the glorious creature once again go forth, vigorous with life and strength. The seemingly blind instinct that bore her from the shore, was the deep, restless undercurrent of *American Idea*, which exists beneath the surface of our political organism, of our daily progress, of our conflicting popular processes, to bend all things to its superhuman agency, as if the hand of Destiny alone were the impressing power. The *American Idea*! Mysterious, silent, yet supreme; typified in Union and embodied in Democracy; potential against all forms, and impermeating the age with its humanising influence, it was the generator of our political being—the monitor of our ways, and must ever be the preserver of our distinctive and glorious Republic.

The Senate's session of Monday (January 28th) was marked by the reception of a number of petitions from the people, presented by Seward, Wilson and Crittenden, praying for the passage of compromise resolutions. Mr. Wilson, in presenting the petition of citizens of Newburyport, made some severe reflections on the petitioners, who prayed for the speedy adoption of the Crittenden resolutions. He said:

Wilson's Satire. "These men prayed for the adoption of the amendments to the Constitution proposed by

the Senator from Kentucky, to wit: The recognition of Slavery and its protection South of latitude 30 deg. 30 min., not only in the existing Territory, but in Territory not yet conquered, purchased, or stolen; the denial of any power in Congress to abolish Slavery in the District of Columbia while it existed in Virginia, or to prohibit the transportation of slaves from one State to another, or to Territories recognizing Slavery; to pay the owner the full value of a fugitive slave when the Marshal was prevented from arresting him by intimidation, and to take from persons of African race the right of suffrage which they have possessed in Massachusetts since the Constitution, passed by the Revolutionary fathers, was adopted in 1780, and acquire territory in Africa or South America, and send at the expense of the Federal Treasury, such free negroes as the States may wish to have removed from their limits. For the adoption of these honorable and humane provisions in the Constitution beyond the power of the people ever to change, the people of the Free States would secure the immense concession of making the fee of the Commissioner no greater for remanding a man

to Slavery than for discharging him as a freeman. Surely the prayer of men of Massachusetts for such objects ought to be heeded by the Senate of the United States."

Mr. Iverson, of Georgia, having received official notice of the secession of his State, passed the notice and the Ordinance of Secession up to the Secretary to be read from his desk. After the reading, the Senator announced his withdrawal from the Senate, in the following terms:—

"The paper which has just been read informs the Senate, Iverson's Farewell. which has already been announced to the public, that the State of Georgia, by a solemn act of Sovereign Convention, has withdrawn from the Federal Union. She is no longer one of the United States of America, but has resumed all the powers granted by her to the Federal Government, and asserted her independence as a separate and sovereign State. In performing this important and solemn act, she has been influenced by the deliberate and firm convictions that her safety, her interest, and her honor demanded it. The opinion of her people has been gradually tending to this point for the last ten years, and recent events have confirmed it; and an overwhelming majority of the people have elected delegates to a Convention, and expressed in that election a determination to withdraw from the Federal Union. And the Convention, by a like decisive majority, has passed the Ordinance of Secession.

"Georgia is one of six States which, in less than sixty days, have dissolved their connection with the Federal Union, and declared their separate independence. Steps are now in progress to form a Confederacy of their own, and, in a few weeks at the furthest, a Provisional Government will be formed, giving them ample powers for their own defense, with power to enter into negotiations with other nations, to make war, to conclude peace, to form treaties, and do all other things which independent nations may of right do. Provision will be made for the admission of other States to the new Union, and it is confidently believed that, within a few months, all the Southern States of the late Confederacy will be formed into a Union far more homogeneous, and, therefore, far more stable than the one now broken up. I have only to say that this action of my own State, and of her Southern neighbors and sisters, meets the approval of my well-considered and deliberate judgment, and as one of her native sons and subjects, I shall cheerfully cast my lot with her and them. And, sink or swim, live or die, I shall be of and with her and them to the last.

"By the secession of the Southern States, and the

Iverson's Farewell.

formation of a Southern Confederacy, two great and momentous alternatives will devolve on the Federal Government. You may acquiesce in the Revolution, and acknowledge the independence of a great Confederacy, or you may make war on the seceding States, and attempt to force them back. If you acknowledge our independence, and treat us as one of the nations of the earth, you can have friendly relations and intercourse with us. You can have an equitable division of the public property, and of the existing public debt of the United States. But if you make war upon us, we will seize and hold all the public property in our borders, and in our reach, and we will never pay one dollar of the public debt, for the law of nations will extinguish all private and public obligations between the States. The first Federal gun that is fired upon the seceding States—the first drop of blood of any of their people shed by the Federal troops—will cancel every public and private obligation of the South which may be due either to the Federal Government or to the Northern people. We care not in what shape or form, or under what pretext you undertake coercion. We shall consider *all* efforts to exercise authority over us as acts of war, and shall meet and resist them accordingly. You may send armies to invade us by land, or you may send ships to blockade our ports, and destroy our trade and commerce with other nations. You may abolish our ports of entry, and, by an act of Congress, attempt to collect the Federal revenues by ships of war. You may do all or any of these, or similar acts. They will be acts of war, and so understood and considered, and in whatever shape you make war we will fight you.

"You boast of your superior numbers and strength but remember that 'the race is not always to the swift, nor the battle to the strong.' You have one hundred thousand fighting men. So have we. And, fighting upon our own soil, and to preserve our rights, and vindicate our honor, and defend our homes, our firesides, our wives and children from the invader, we shall not be easily conquered. You may possibly overrun us, desolate our fields, burn our dwellings, lay our cities in ruins, murder our people, and reduce us to beggary, but you cannot subdue and subjugate us to your will. Your conquest, if you gain a victory over us, will amount to but little. You will have to keep a standing army of 100,000 men, costing millions of money, only to keep us in subjection. You may whip us, but we will not stay whipped. We will rise again and again to vindicate our rights and liberty, and to throw off your oppressive and accursed yoke, and we will never cease the strife until our whole white race is extinguished, and our fair land given over to desolation. You will have ships of war—we

may have none. You may blockade our ports and lock up our commerce. We can live if need be without commerce. But when you shut up our commerce from the looms of Europe, we shall see whether other nations will not have something to say, and something to do, upon that subject. 'Cotton is King,' and will oblige you to raise your blockade and draw off your ships.

"I know that great hopes are raised, and great efforts made to retain the Border States in the Union. But, let coercive measures be commenced against the Southern Confederacy, or any of the Seceding States, and all such hopes will vanish into thin air. The first act of Federal legislation looking to coercion, the first Federal gun fired, the first Federal ship which takes its station off a Southern port, will bring all the Southern States, including Maryland, laggard as she seems to be in the vindication of a sound independence, into obedience and alliance with their Southern sisters. And thus united, they will resist and defy all your efforts. There are also those who, surrendering all hope of preventing the destruction of the Union, recognizing the existing state of facts, yet hope to see it reconstructed. Sir, a war between the two sections will forever close the door to any such project.

"I will not say that the Southern States, if let alone, even after they have formed a Southern Confederacy, will not listen to propositions of reconciliation. Let the North make them, and we will consider them. The Southern people have heretofore cherished a firm and sincere reverence and attachment to the Union, and nothing but stern necessity could have convinced them of the propriety of leaving it, or could have driven them to the alternative of separation from it; and when they shall see, if it be not too long delayed, a fraternal sense of justice and good feeling returning to the Northern mind and heart, and when they can find sufficient and reliable guarantees for their rights and equality in the Union, they may, perhaps, reconsider their action, and rejoin their former confederates.

"For myself, I am free to declare that, unless my opinion shall be greatly changed, I shall never agree to a reconstruction of the Federal Union. The Rubicon is passed, and it shall never, with my consent, be recrossed. But, in this sentiment, I may be overruled. I may safely say that nothing will satisfy them, except the recognition of equality, the safety of the institution of domestic Slavery, and the protection of their constitutional rights, for which they have been so long contending in the Union, and the denial of which has forced them to their present attitude of self-defense.

"It remains for me now only to express my grate-

ful acknowledgments and thanks for the uniform courtesy and kindness with which I have been treated by those Senators with whom I have had official and social intercourse. And in thus wishing them each a long life of prosperity and peace, I bid them farewell."

This rather defiant good-bye embodied the true spirit of secession:—brimming with the pride of arrogance, its very insolence rendered it representative; while the declaration that, if not allowed to go in peace, the revolutionists would still further seize, plunder and confiscate property, and outrage the Federal Government, shows what a mean estimate the conspirators placed upon the still loyal people and States. Iverson was a man of more than ordinary abilities. He would have adorned any society had his education and associations been more truly Christian. He paled before the greater greatness of Mr. Toombs, and was but an echo. He was only his equal in the sense of the proverb—*Facinus quos inquinat aequat*.

The Virginia Peace
Convention.

A message from the President, communicating the Virginia Peace Congress' resolutions, [see page 300,] called up Mr. Mason, whose avowals were of interest, considering the fact that he was an avowed secessionist, had signed the inflammatory and treasonable "Address," [see page 247,] advising the people of Virginia to hasten into Convention, &c., and that he, generally, had colluded with Toombs, Floyd, Cobb and others to excite the Southern mind to the point of revolution. After moving that the message be printed, he said:

"These resolutions were passed by the State of Virginia and transmitted directly to the President, to inform him that Virginia had undertaken the office of mediator between the States. The next object of the resolutions was to induce the President to refrain from any act to produce a collision, with the knowledge that if a collision once occurs, it will be beyond the power of any mortal arm to remedy the evils to follow. It was a great effort Virginia was thus making to save the country. Virginia had also called a Convention to meet on the 13th of February. But the great object of her mission now was to prevent any further complication, so as to place the difficulty beyond remedy. He trusted the noble effort of Virginia would be successful, at least for the time being. If it should result that the questions are of a character to admit of no solution, still

the peace of the continent should be preserved; and if the present Union is beyond hope, we should still see if some means cannot be devised by reconstruction or otherwise. Such was the appeal of the great State of Virginia. If there be any Senator who indulges the belief that an attempt to force any State will not lead to war, there never was a man more deluded. He had said so before, and he repeated it now. We have evidence from the section which had separated, that though they had found it necessary to take possession of the forts and arms, they had done so simply as a measure of precaution, and there was not one, if she should be restored to the Union, or if peace should be restored to the Union, or if peace follow, who would not account for every dollar of the public property. He had seen nothing but an earnest desire to keep the peace, nor had they been actuated by anything like fear. He believed those States were actuated by a desire to keep the peace, and the State of Virginia invokes like feeling from the Government. This was the only course to avert the evils which threaten us."

Mr. Mason found in the design of that Congress a hope of restraining the Government and Congress from acts of coercion. It would, first, afford the President an excuse for delay. That he would avail himself of the pretext was only too evident. This was a very important point, indeed; for, the very day fixed upon for the meeting of Commissioners at Washington was also the initial day of the Confederate Congress. Two or three weeks' suspense at the Federal Capital, in waiting upon the discussions of the Commissioners, would suffice to inaugurate and consolidate the Slave Confederacy, so as to enable it to meet any steps which might be taken toward their "coercion." Mr. Mason wisely befriended "the cause," in seeming to approve of the resolutions.

It would, secondly, in event of a failure to produce a plan of settlement—as was inevitable, and apparent from the very first conception of the Convention—throw the responsibility of a failure upon the North, and thus so strengthen the secession sentiment in Virginia and North Carolina as to give both States to the revolutionists. All of which Messrs. Mason and Hunter so well realised, that they doubtless regarded the "Peace Congress" as a most happy conception.

The message of the President so delighted Clingman, of North Carolina, that he moved

Dissembling Patriotism.

to print an extra number. The Southern leaders showed more sagacity in the matter than their opponents would have credited.

Hemphill, (Dem.,) of Texas, addressed the Senate.

His logic was quite consistent with Texas morals. He claimed that, not only was the State sovereign, but the people in it were sovereign, and could ordain a new Government at will—could leave the Union, with or without cause. Texas had not found safety in the Union; therefore, it would not be surprising if she should seek safety out of it. Coercion against a State could not be exercised under the Constitution. The annexation of Texas was necessary, he averred, to the United States, and Texas was not responsible for the Mexican war. Texas had not received many benefits from her connection with the Union, and, in his judgment, she would be constrained to withdraw, and resume again, her glorious independence!

Texas never had any "glorious independence" until the army of General Taylor gave it to her; she never had any secured right to soil and boundaries until the Federal Government conquered it for her; all her prosperity grew out of the protection given her by the United States forts and troops; the United States paid her money (ten millions) for a quitclaim on Territory she never had possessed; the United States surveyed her vast domain, garrisoned her vast frontier, opened her roads, located her harbor channels, and fixed the lights and buoys along her lagune coast; the United States purchased Arizona, to give the Texas-Pacific railway the right of way across the Continent; the United States built her Custom-houses, Court-houses, Post-offices, &c.; the United States sustained her mails at an immense annual deficit in receipts. In return for these innumerable and costly benefits the United States had received—what? The *privilege* of having such men as Wigfall and Hemphill in her Senate Chamber, to preach treason, to condemn the Constitution, and to sow the seeds of sedition.

The House proceedings, Monday, (January 28th), were opened by the presentation of a petition from fourteen thousand citizens

of Boston, praying for a peaceful adjustment of the national difficulties. Ed-

The Boston
Petition.

ward Everett was chairman of the Committee deputized by Boston for its submission to Congress. The petition was presented by Mr. Rice, (Rep.) It was wrapped in the American flag, and was ordered to be printed, amid much applause.

John Cochrane, (Dem.,) of New York, introduced

Propositions and State
Resolutions.

Mr. Bigler's propositions, providing for taking the sense of the people of the States on certain amendments of the Constitution. Referred to the Special Committee of Five; as also was a joint resolution by Florence, (Dem.,) of Pennsylvania, proposing amendments to the Constitution.

Craige, (Dem.,) of North Carolina, asked, but did not obtain leave, to introduce a resolution inquiring of the Secretary of War how many troops have been ordered here since December last, whence they came, their nature and character, and for what purpose they are concentrated here in a time of profound peace.

Campbell, (Rep.,) of Pennsylvania, presented the Resolutions of the Pennsylvania Legislature, expressing ardent attachment to the Constitution and Union, and repugnance to Secession, and pledging the support of that State in such a manner, and to such an extent as may be required for the maintenance of the laws, &c. Mr. Campbell said the resolutions express the sentiment of the people of Pennsylvania.

Quarles, (Am.,) of Tennessee, presented Resolutions of the Tennessee Legislature, proposing a Convention of Delegates from the Slaveholding States, at Nashville, on the 4th of February, with a view to the settlement of the difficulties on the basis submitted. The last resolution concludes with a recommendation that, if no compromises were made, then all the Slaveholding States will unite under the Constitution of the United States, with such amendments as their safety and welfare may suggest. This, and the Pennsylvania Resolutions, were laid on the table and ordered to be printed.

Vandever, (Rep.,) of Iowa, offered a declaratory joint Resolution, that Congress has no

power, under the Constitution, to interfere with Slavery under State laws; that whatever may be the powers of the Federal or a Territorial Government as to Slavery, affords no just grounds for a dissolution of the Union; that it is not expedient to amend the Constitution; and that a Government which cannot execute the laws is not fit to be maintained. Referred to the Special Committee of Five.

Morris, (Dem.,) of Illinois, sought to bring matters to a focus, by offering as a resolution: "That the members of this House from the Slaveholding States be respectfully requested to submit to the House an ultimatum proposition, embracing their views upon the Union, and by which they are willing to stand; and pledge their respective States to stand, now and hereafter, as a final adjustment." On this he moved the previous question, but received only twenty-nine supporting votes.

The President's
Message.

The President's Message,
remitting the Virginia res-
olutions for a Convention,

was then received and read as follows:

To the Senate and House of Representatives of the United States:

"I deem it my duty to submit to Congress a series of resolutions adopted by the Legislature of Virginia on the 19th inst., having in view the peaceful settlement of the existing questions which now threaten the Union. They were delivered to me on Thursday, the 24th inst., by ex-President Tyler, who has left his dignified and honored retirement in the hope that he may render service to his country in this, its hour of peril. These resolutions, it will be perceived, extend an invitation to all such States, whether Slaveholding or non-Slaveholding, as are willing to unite with Virginia in an earnest effort to adjust the present unhappy controversies in the spirit in which the Constitution was originally formed, and consistently with the principles, so as to afford to the people of the Slaveholding States adequate guarantees for the security of their rights, to appoint Commissioners to meet on the 4th day of February next in the City of Washington similar Commissioners appointed by Virginia, to consider, and, if practicable, agree upon some suitable adjustment. I confess I hail this movement on the part of Virginia with great satisfaction. From the past history of this ancient and renowned commonwealth we have the fullest assurance that what she has undertaken she will accomplish, if it can be done by able, enlightened, and persevering efforts. It is highly gratifying to know that other patriotic States have ap-

pointed and are appointing
Commissioners to meet those of
Virginia in council. When as-

The President's
Message.

sembled, they will constitute a body entitled, in an eminent degree, to the confidence of the country. The General Assembly of Virginia have also resolved that ex-President John Tyler is hereby appointed by the concurrent vote of each branch of the General Assembly a Commissioner to the President of the United States, and Judge John Robinson is hereby appointed, by a like vote, a Commissioner to the State of South Carolina and the other States that have seceded, or shall secede, with instructions respectively to request the President of the United States and the authorities of such States to agree to abstain, pending the proceedings contemplated by the action of this General Assembly, from any and all acts calculated to produce a collision of arms between the States and the Government of the United States. However strong may be my desire to enter into such an agreement, I am convinced that I do not possess the power. Congress, and Congress alone, under the war-making power, can exercise the discretion of agreeing to abstain from any and all acts calculated to produce a collision of arms, between this and any other Government. It would therefore be a usurpation for the Executive to attempt to restrain their hands by an agreement in regard to matters over which he has no constitutional control. If he were thus to act, they might pass laws which he should be bound to obey, though in conflict with his agreement. Under existing circumstances, my present actual power is confined within narrow limits. It is my duty at all times to defend and protect the public property within the Seceding States, so far as may be practicable, and especially to employ the constitutional means to protect the property of the United States and to preserve the public peace at this, the seat of the Federal Government. If the Seceding States abstain from any and all acts calculated to produce a collision of arms, then the danger so much to be deprecated, will no longer exist. Defense, and not aggression, has been the policy of the Administration from the beginning. But while I can enter into no engagement such as that proposed, I cordially commend it to Congress, with much confidence that it will meet their approbation to abstain from passing any law calculated to produce a collision of arms, pending the proceedings contemplated by the action of the General Assembly of Virginia. I am one of those who will never despair of the Republic. I yet cherish the belief that the American people will perpetuate the union of the States on some terms just and honorable for all sections of the country. I trust that the mediation of Virginia may be the destined means, under the providence of God, of accom-

plishing this inestimable benefit. Glorious as are the memories of her past history, such an achievement, both in relation to her own fame and the welfare of the whole country, would surpass them all.

[Signed] "JAMES BUCHANAN.

"WASHINGTON CITY, Jan. 28, 1861."

The consideration of the Corwin Report was resumed, when Pryor, (Dem.,) of Virginia, addressed the House.

Pryor's Speech. He assumed that the Union *was* dissolved—that the issue now was peaceful recognition of the seceded States or war with them. In view of the attitude of the Republicans, he foresaw a purpose to make war. If it should come the North alone should be held responsible. The South was justified in seceding from the Union, not only because of the wrongs perpetrated on her interest in Slaves but for the further reason of a radical tyranny which had overthrown the Constitution and established a despotism under the guise of a popular majority. He said:

"The South is contending for the principles of constitutional freedom, and the rights of self-government, both of which are infringed by the usurpation of the Northern majority. In this sense the cause of the South is the cause of civil liberty, and appeals to universal liberty, and appeals to universal sympathy. The position of the South is still further fortified in the public opinion of the world by her solicitude to redress her grievances peaceably and in the Union. She would accept of any satisfactory guarantees, but the dominant party reject all overtures, and are preparing to enforce submission to their sway."

He argued, at some length, for a peaceful separation, announcing his belief that it was in the order of Providence to build up, here, two nationalities, and thus the more fully to advance the cause of freedom and civilization.

The Senate amendment to the Kansas bill having been sent in, Grow, (Rep.,) of Pennsylvania, moved the temporary suspension of the regular order to take it up. The rules were suspended by 119 to 42. The bill for the admission of Kansas as a Free State then passed—thus adding an additional element of strength to the Free State sentiment of both Houses. It was a peaceful

close for a drama written in wrong and blurred with blood.

The momentous events of the day closed in a little excitement over a motion by Stanton, (Rep.,) of Ohio, to suspend the rules in order to take up the bill for the more efficient organization of the District Militia, providing that the usual military oath be administered to all the officers thereof. The Rules were suspended—116 to 41. This aroused Garnett, of Virginia, Sickles, of New York, and others. The Virginia member said it was a pretty business to establish a Prætorian guard in the Capital upon the occasion of the assemblage of the Virginia Peace Convention. Sickles considered the bill a gratuitous impeachment of the loyalty of Virginia and Maryland to the Union, and implying danger of an attempt on this Capitol from those States. Notwithstanding this opposition the bill passed by a vote of 119 to 42, when the House adjourned, well satisfied with its day's work.

In the House, Tuesday, (January 29th,) Mr. Adrian, (Dem.,) of New Jersey, presented the resolutions passed by the Legislature of New Jersey, expressive of firm attachment to the Union, and the duty of every good citizen to sustain it, and favoring the Crittenden proposition and the calling of a Convention of the States, &c. Laid on the table and ordered to be printed. The special order was then resumed, being the report of the Committee of Thirty-three. Thaddeus Stevens, (Rep.,) of Pennsylvania, gave utterance to his decided sentiments in a firm speech.

Thaddeus Stevens' Views.

He regretted that, like Mr. Pryor, he had to believe no compromise could be available. When six States are in open and declared rebellion, having seized the public forts and arsenals, and robbed the people of millions of public property; when he saw our harbors blockaded, and armies in array against the flag of our country, which has been insulted, he had no hope that concession, humiliation, or compromise can have any good effect whatever. What confirmed him in this belief, if confirmation was necessary, was to see by the papers that the Kingdom of South Carolina had peremptorily refused to appoint Commissioners, for the reason that they have no

desire or intention to promote the objects declared in the Virginia resolution, viz., to procure guarantees by amendments to the Constitution. As South Carolina is the head and front of the secession movement, this was the end of negotiation and compromise, particularly as it was followed closely by the belligerent speech of Mr. Pryor. He (Stevens) saw that every Southern Democrat, and, he was sorry to say, that every Slaveholder in the House, voted against the consideration of the bill to admit Kansas into the Union. The Southern States will not be turned from their deliberate purpose by soft words or lamentations. He argued that there were but two ways of breaking up the Union—one by amendment to the Constitution, the other by revolution, which nothing could justify but the most intolerable oppression, a thing that nowhere exists. He proceeded to speak of Southern cruelties toward Northern men, who are tarred, feathered, and hung by scores. At the late election in Virginia, a man who voted for Lincoln was taken by the chivalry, his face blackened, and exiled from home. It was not safe for Northern men to go into the Southern States.

At this point he was interrupted by Rust, of Arkansas, Kunkle, of Maryland, and Webster, of Maryland, who sought either to deny the truthfulness of the statements of injury, or to parry their force by counter instances of Northern oppression. Mr. Stevens resumed, and, with more than his wonted feeling, declared that, rather than make concession to *rebels*, he would see the Government shivered to atoms. The South wanted a despotism—it could only have it by proving its ability to instate it by force. He assumed that the Executive must enforce the laws even if the worst should come.

Stevens was followed by
 Harris', of Md.,
 Speech. Harris, (Am.), of Maryland,
 who reflected severely on

the disunion movement and its directors. He charged that the scheme of a divided confederacy was conceived in the unholy ambition of Southern politicians, who had given the North but too much cause for its aggravation and spirit of resistance. He urged the adoption of some plan of compromise—any which would give the distracted country

peace and thwart the purposes of those plotting against the Union. He was interrupted by Hughes, of Maryland, who said Harris was not speaking for that portion of the State which he (Harris) represented. The reply was that, according to the best of his judgment, there was not then a corporal's guard in any locality in the State, honestly for secession; but confessed that there existed a smouldering fire ready to burst out if palliatives were not soon administered. He asked for less eloquence of speech and more eloquence of votes. In his peroration he said: "Let me not, instead of our national music, hear the Marseillaise, which was not music to my ears. Flaunt not before my eyes the flag of a divided nationality, that excites no devotion in my American heart, but let me and my people go to our graves with the consecrated melodies ringing in our ears, and over us the dome of the Union with all its constellated stars.

Winslow, (Dem.,) of North Carolina, addressed Winslow's Speech. the House—taking extreme Southern grounds: if the propositions for constitutional guarantees and a division of Territory was not accepted by the Republicans, the South had nothing further to ask or to offer. He reviewed the proceedings of the Committee of Thirty-three, showing that a great deal of time was spent in debate, when it was obvious the mind of no man was to be changed in any important respect. He remarked that it was gratifying to Southern men to find, with a single exception, they were all agreed on the proposition presented by the gentleman from Arkansas, (Mr. Rust,) and were particularly pleased to find that, simultaneously, the same proposition substantially was presented in the Senate, by the venerable Senator from Kentucky. These propositions demand protection to Southern institutions, and with nothing less than what they contained could the South be satisfied.

Van Wyck, (Rep.,) of New York, followed in a Van Wyck's Speech. very powerful speech against any compromise which shall concede a constitutional *status* to Slavery. He adverted to the great debate of 1842, which

Van Wyck's Speech.

followed upon the introduction, by John Quincy Adams, of the Haverhill petition for a peaceful dissolution of the Union. He quoted from the speeches then made by Messrs. Hopkins, Wise, and Gilmer, of Virginia; Mr. Merriwether, of Georgia; Messrs. Campbell, Rhett, and others, of South Carolina; Messrs. Marshall and Underwood, of Kentucky—all denying the power of Congress, or the States, to effect a dissolution, and claiming that a dissolution of the Union was a dissolution of Slavery. Have great principles changed since then? The inordinate desire of the Southern mind for "expansion"—the dream of a vast area won from Mexico and Central America, all to be given up to Slavery, was the heart-note of the conspiracy. He reviewed the question of a claim for rights in the Territories. What monstrous demands! Here was a nation composed of thirty millions of souls, and *three hundred thousand* slave-owners claimed "*equal rights*" in the domain with the mighty majority! How can presumption go farther? He said:

"Do you propose any concession to the North? Any security to liberty and life of the Northern man in the Slave States; of property in books; of freedom of speech and the press, as already secured by the Constitution? You say that you concede to Freedom the Territory North of 36 deg. 30 min. We have a double title to that already: first by purchase, and then by conquest. We bought it when we took Missouri into the Union as a Slave State, and then we conquered it in the strife of a civil war. All our future acquisitions must be in the direction of the tropics, and you demand its unconditional surrender to Slavery. You want us to surrender to men who themselves are compromise breakers! You have been telling us for years that all geographical lines were sectional and dangerous! In 1820 you established the Missouri line to save the Union; in 1854 you destroyed it to save the Union; and now you can see the salvation of the Republic only through its reestablishment and perpetuity, with the new and startling condition annexed, that Slavery must be forever protected, in all our future acquisitions! Believe not in reconstruction; the compromises of the present Constitution, once lost, you never can regain. Think you that another Senate can be formed wherein Florida and Delaware can equal New York and Pennsylvania? You are opposed to the army and navy, because you boldly assert that an enforcement of the laws means coercion of

States; but you were willing to send troops 2,000 miles over Van Wyck's Speech. prairie and desert, to coerce our brethren in Utah; you sent the army into Kansas. You have used Federal troops to enforce the Fugitive Slave law, and to rescue the Arsenal at Harper's Ferry from John Brown. The camp had no terrors for you then; but now you oppose coercion; yet, by force of armed men, you seize the forts and navy-yards, and trample the Stars and Stripes in the dust."

He warned the South against attempts to coerce the North into a consent to a dissolution of the Union. It would *not* be driven or cajoled into any line of policy adverse to its solemn and just convictions. As one plan of settlement, he favored a purchase of all the slaves in the Border States and their colonization in Central America. He also favored a convention of all the States. But no Cataline should walk the land to stab liberty and strike down the Stars and Stripes with impunity. Treason was treason, and there were few to compromise with it if the issue must come.

This speech rang out with the spirit which was rapidly gaining ascendancy in the Northern mind—not only of Republicans, but of *all parties*. It was patriotic rather than defiant. It was grounded in devotion to the Union and the Constitution, and thus echoed the loyal heart of the Free States.*

Tuesday's session of the Senate was consumed in considering the Pacific Railway bill. Mr. King, (Rep.) of New York, introduced a bill, which was referred to the Committee on Military Affairs, authorizing the employment of volunteers to aid in enforcing the laws and in protecting the public property.

The Wednesday's proceedings of the Senate

* The Republican Central Committee of New York City (January 30th) passed resolutions thanking Mr. Van Wyck for his speech, and requesting the Republican members of Congress "in no manner, come what may, to further compromise with the Slave Power." A leading journal of the city, referring to these resolutions, said, "They speak *unmistakably* the sentiments of the Republicans of New York City. They all desire a real settlement through the maintenance of the Union and the enforcement of the laws, and no cowardly and temporary compromise." Undoubtedly this statement was correct.

were only memorable from the presentation of memorials and petitions.

Petitions and
Memorials.

Mr. Bigler, (Dem.,) of Pennsylvania, introduced several—among them a memorial of the meeting said to represent fifty thousand working-men of Philadelphia, praying for the passage of the Crittenden compromise. He remarked that, in view of these popular manifestations, there could be no doubt of the general desire for the adoption of some compromise. Disunion could not be countenanced, but he was ready to make any reasonable concessions to the South. The Crittenden resolutions he thought were eminently just and wise.

Cameron, (Rep.,) of Pennsylvania, also had a petition to present, but it differed vastly in sentiment from that presented by his colleague, whose former speech he had been charged with having indorsed. He certainly never indorsed the whole of it, but he was willing to do anything to bring peace and safety to the country. But he first wanted to know if what he did would be received; if it would bring back the leaders of rebellion in the South, for he considered it rebellion.

Mason, of Virginia, answered that the Southern States had not asked for concessions in any form. The South had no complaint to make of the Constitution, but that the Constitution had been violated and her rights disregarded; yet, she never asked concessions. She only demanded that the Constitution be carried out. She would be humiliated if she asked anything else, and the North would not be humiliated if it granted it. The South only asked for right.

Hale, (Rep.,) of New Hampshire, declared that he had been attentively listening for just such a speech from the commencement of the session. He now thought there was some hope for a union of sentiment!

Trumbull, (Rep.,) of Illinois, presented the petition of citizens of Chicago in favor of sustaining the Constitution as it is, and against any concession to the South while in rebellion against the Constitution and the laws. He said he was glad to see that the petitioners agreed with the Senator from Virginia, that the Constitution is good enough now, if the people would only live up to it.

The trouble was, that the people rebelled against and attempted to overthrow it. We could not have peace by concessions to men who asked none, and refused them—by making concessions to men with arms in their hands, and who fire on our vessels and capture our soldiers. If the country has received a shock from which it will not recover for generations, it is because of the craven spirit manifested. Let the Government put itself in a position to be respected and obeyed, and it will have respect and obedience.

Mr. Trumbull also presented the petition of a Committee of the Methodist Conference of Illinois, setting forth that the Conference had been broken up in certain States, and one man had been hung because he was a minister of that church. The petition asked that if compromises be made, there be provision for the safety of citizens in the States, and that no man be proscribed for religion's sake. [See page 229.]

In the House, Wednesday was an interesting and exciting day. Mr. W. R.

Cobb's Farewell.

W. Cobb, of Alabama, who had remained after his colleagues had withdrawn, in a letter to the Speaker, to be laid before the House, stated that he had received the certified Secession Ordinance of Alabama, and therefore felt constrained to withdraw entirely from the duties of the House—a step which he deeply regretted being compelled to take. His letter closed: "God save the country!"

The House consenting, Mr. Cobb addressed the members in a very patriotic and feeling farewell. He prayed and plead for some compromise to save the country. He had served in Congress fourteen years, and could not think of returning home to say to his eager, expectant constituents that all hope of compromise was past. Oh! for a Clay, a Webster, an Adams to meet the crisis! He could only say, with uplifted hands, "*God save the country!*" The Republicans could do it—would they? Plant yourselves no longer on your dignity—adopt some measure of settlement and peace, and save the country!

The Select Committee of Five reported several important bills. One to call out the

Important Bill.

militia, in certain cases. One to further provide for the duty on imports. This latter, reported by John Cochrane, (Dem.,) of New York, was accompanied with an expression of his views. He fully concurred with the President in his opinion against the right of secession, deeming all acts and Ordinances of Secession, so far as the same may be carried into effect, are to be considered as revolutionary infractions of the supreme law of the land, however they may be regarded as the proper exercise of an indefeasible right of resisting acts which are plainly unconstitutional and too oppressive to be endured. He also concurred in the President's opinion that the Federal Constitution has abstained from conferring on the Federal Government, or any department thereof, authority to declare and wage an oppressive war against a seceding State, in order to coerce or repeal any act of secession she may have passed, or to compel her to remain nominally, as well as in fact, a member of the Federal Union. A just conception of the constitutional authority of Congress combines with other, and, if possible, higher and more commanding motives to prescribe other measures than aggressive and coercive war to remedy the grave inconveniences, perils, and evils of such secession.

Mr. Conkling, (Rep.,) of New York, the Corwin Report being the Special Order, addressed the House at considerable length, and with a force which created much remark. His position was that of an uncompromising Republican, and Unionist at all hazards. To the elaboration of his argument he brought to bear the resources of a fertile mind and the power of an eloquent utterance. He had no hope, from the first stages of the controversy, that any concessions would stem the tide of revolt. The charges sown broadcast over the South, maligning, misinterpreting, and falsifying the Republican party to the Southern people, had so poisoned their minds that they did not want unity with the North. The leaders of the conspiracy had sown the whirlwind to direct the storm—they would rule while their deceived constituents obeyed. These apostate Ameri-

cans plotted the ruin of the country, for then the great Gospel of Freedom, which filled Christendom with light and hope, would shrivel up like a scroll.

Conkling's Speech.

Hindman, of Arkansas, interposed to know if the gentleman was in order in the use of such language as "apostate Americans?" He would inquire of the gentleman if he intended to apply that language to any member of that House or to their constituents? If such language could be used there, then the time had come for the dissolution of the Union, and for the secession of the Southern States from it. He asked the Chair to decide whether or not such language was in order.

Grow, of Pennsylvania, being in the chair, said, so long as the remarks were not personal, there was no power to interfere. Hindman proposed to render them personal, evidently, for he again rose in excitement, and said the word "apostate Americans" had been used for some purpose, and he desired to know to *whom* the words were applied, and whether it was proper to apply them in that House. It was better to meet the question now than at another time.

Conkling resumed, to press his point against those who, by deception, intrigue, and treason, had inaugurated the causeless rebellion. It was causeless, groundless, without excuse in the eyes of Christian men. Though not confessed, the *true* reason of the uprising was that Slavery had ceased to rule—that, by the sentiment of an overwhelming majority of the people of this Republic, Slavery, as a moral poison, was outlawed and abhorred. It was because that Slavery, as a policy to be fostered, had ceased to be national in this country. It was charged on the North that at all its social assemblies it was held to be a moral, a social, and political evil. The charge is true, every word of it! It was true that the vast majority of the people of the North, all political parties alike, looked upon Slavery, as an institution, as a monster of the worst kind, insatiable and destructive to the victim, to the master, and to the land. In that respect the North agreed with the rest of the civilized world, that Slaveholding was the worst of wrongs, the liberty-founded, model Republic alone excepted! The jurisprudence of the

Conkling's Speech.

world was against Slavery, the civilization of the world was against Slavery; the literature of the world was against Slavery. Webster once said, "Lightning is strong, the torrent is strong, the earthquake is strong, but there is something stronger than all this—it is the enlightened judgment of mankind." And that, too, is against Slavery. There was no one to blame for that. No, it was one of the enactments of that "higher law," which was recognized by all people, and to which Coke had given utterance when he said, "that the law of Parliament, when in conflict with the law of God, was to be held utterly at naught."

It was true that the feeling, long dormant, had at length asserted its supremacy—that freedom, hereafter, was to be the rule, and Slavery the exception, in our "great experiment."

The Reformation had, after years of persecution, been successful. No more wars, now, of conquest for Slavery's sake! No longer shall the arms of the Republic go forth to change realms into deserts, to sack cities, to subdue Territories, in order to people them with Slavery, and endow them with slave representation. The ambassadors of the Republic in Europe will never again dare to assemble at the tomb of the great Charlemagne and proclaim an Ostend Manifesto! Henceforth American Slavery was not to be enlarged. No longer was she to be the feasted, pampered child of American destiny, a thing to be fondled and caressed by the Government. No! but from this time out it would be a simple necessity in the country, having defined constitutional rights, and having no more.

The speaker then referred to the power existing to put down treason and rebellion, showing that all means were placed at the President's disposal to care for the Government's safety. He had vacillated; he wanted firmness and integrity; he had left the country "naked to its enemies." The Executive stood before the world a pitiful spectacle, petrified with fear, or vacillating between determination and cowardice, while rebels tore from his nerveless grasp the insignia of the Republic, and in its place hoisted

the banner of secession and rebellion. Congress was powerless to control this.

Conkling's Speech.

The Constitution had given them no power to interfere. They had voted the money to carry on the Government, and what else could they do? Nothing but to take their share in that issue which remained—the paramount question of the country.

The idea of a constitutional right of secession was to be spurned. There were three ways in which a State could cut loose from Federal allegiance: By the amendment of the Constitution, as provided in the Constitution itself; by the consent, not of the State going out, or of the remaining States, but by the universal acquiescence of the American people; and by that right or power which inheres in man, and not in States—that option which all men had to defeat their governments, and, if they succeeded, to live in peace as patriots and heroes—if they failed, to die as rebels and traitors.

As to a settlement by concession, he never would consent to an adjustment with men with uplifted banners of revolt in their hands. He had no terms to offer until the revolutionists doffed their cockades, hauled down their Pelican and Palmetto flags, and donned the habiliments of peaceful, law-abiding citizens. And, as for the wavering Border States, if they halted between the two conclusions, to go out or to remain in—if they were waiting to be coaxed—if that was so—if the people of any State were to be raffled for by the Government, he, for one, would decline to take any part in such transaction. He would not see the Government go into an auction-room to bid for allegiance. If they were to be coaxed into wedlock, he would prefer the feeling of the old conqueror with regard to his daughter, and of whom the poet sung:

"A warrior should her bridegroom be,
Since maids were best in battle wooed,
And won 'mid shouts of victory."

This was the way he would prefer to woo those States who stood wavering, and who wanted to be coaxed into the Union. As for the noble patriots from those States who were battling for the Union, and, at every personal hazard, were endeavoring to stem

Conkling's Speech.

the tide of disunion, he could not word his admiration. For *them* he could do all things possible or consistent. But he could not vote for any compromise to *extend* Slavery, nor to amend the Constitution. He would vote to sustain the laws and rigidly to enforce the Constitution, in Free as well as in Slave States. He would leave the Constitution as it was. If they should alter it, if the American people should tamper with that liberty-bestowing instrument, some Gibbon, or, better still, some Dante, would immortalize the crime. Some limner, with infernal pencil, would group in the picture, horrible in their resemblance to the actors of the day, and hang it in the sky, full in the view of those who shall hereafter tread the corridors of time. The men of the North believed in the Government as their fathers made it. They cherished it for all its memories, its martyrs, its heroes, and its statesmen. They cherished it for the shelter it afforded against that storm which, without it, would burst and desolate the continent. But above all, they cherished it for its promises yet unaccomplished, its mission incomplete, and its destiny unfulfilled. They would sustain it and *defend* it to the last.

This speech made a powerful impression on the House. Taken with those of Thaddeus Stevens, Van Wyck, and others, on the Republican side, it clearly indicated the set of the current of public feeling in the Free States, and showed, to those not blind, how *impassably* wide was the gulf which compromise was expected to span.

A Kentuckian's
Declarations.

Stevenson, (Dem.,) of Kentucky, followed Conkling in a brief reply. If

the New York member was a fair representative of Northern sentiment, the hope of an adjustment must be extinguished. He saw, in this and other speeches, a design to deny the South all rights in the Territories. He regarded the States as equal and sovereign, having *equal* rights to the common domain, and entitled to full protection to their property therein. He still hoped the returning reason of the dominant party would show them the propriety and justice of a compromise, guaranteeing the South its required

protection and rights. Kentucky, he averred, would maintain her rights; and, though generous and loyal, would not remain in the Union but as an equal.

Howard, (Dem.,) of Ohio, declared also for conciliation by compromise. He would disregard party and platforms, and do his duty as an American. Upon that Congress the destiny of the Republic hung. Six stars of our National flag were obscured, and he should not cease to hope for their restoration. Exhaust all other remedies to bring them back before resorting to force.

Howard's Views.

Edward Joy Morris, (Independent,) of Pennsylvania, in a speech characterized by much decision, said he would save the Union by remanding the entire question of Slavery in the Territories to the people, to whom its decision properly belonged. Let *them* battle it out, without the factious intervention of Congress or of Territorial Legislatures. He would go for the Corwin Report, or for the Crittenden Resolutions, to submit the question of compromise to the people. Speaking of the proposed Convention at Montgomery, he said it might establish a Government stronger than the Federal, but it would, necessarily, be an oligarchy—the few slave-owners would reign, not the majority poor white population. He defended the policy of the Republican party, and thought the aspersions of its enemies as base as they were unfounded. All the agitation which prevails in the South, so far as it is based on the allegations that the people of the North wished to abolish Slavery in the States, is utterly without cause. The statement was a calumny, got up for the bad ends of aiding in the scheme to disrupt the Union. He spoke of the conservatism of Pennsylvania and of Mr. Lincoln, who was the most conservative of any candidate in the Presidential election. He stood by the Constitution, let the issue be what it may; and, in dying, might he stand there and defend it to the last! The Government of the United States has a right to defend its own existence, and it is its duty to do it against coercion, which is on the part of the Seceding States.

Edward Joy Morris'
Speech.

Thursday, in both Houses, was a landmark in the legislative history of the revolution. On that day Mr. Seward, in the Senate, and Mr. Adams, in the House, made their last and utmost bids for peace. Representing the dominant party and the incoming Administration, their declarations assumed even more than usual significance. The replies of Mason and Wigfall, also, embody the sentiments entertained by the revolutionists at this time. Their conjoined speeches will, therefore, serve, in an historical view, as a *resumé* of the practical position of the two sections and parties. We shall, in consequence, dis sever them from our current Congressional record, and accord them the more proper position of a special chapter. [See Chapter XXI.]

The New Jersey
Resolutions.

In the Senate session of Friday, February 1st, the President's Message being under consideration, Latham, (Dem.,) of California, expressed his views at length on the state of the country. Previous to the Message being called up, Ten Eyck, (Rep.,) of New Jersey, presented the joint resolutions of the New Jersey Legislature, [see page 251,] expressing a willingness to accept the Crittenden Resolutions, advising a Convention of the States, appointing Commissioners to Washington, and instructing Members of Congress from the State to act in accordance with the resolutions of the Legislature. Mr. Ten Eyck said he owed a higher duty to the country than to the State. He refused to be instructed to the extent of having his actions controlled by the Legislature;—a machine would do as well as a man, if he was to be ordered from Trenton. But, these particular instructions he should particularly hesitate to obey, because he did not believe they represented the feelings of the people of New Jersey. The Legislature, by an accidental vote, had undertaken to instruct Senators here against the will of a majority of the people. He would not be shackled in such a way. He objected to the resolutions of the Senator from Kentucky, because they provided an unconstitutional mode of amending the Constitution. He was willing to have an efficient law for the rendition of fugitives, and to repeal all laws interfering with such law; but he would insist on the effectual carrying out of

the provision, that citizens of each State are entitled to all the privileges in every State. He would not prohibit the transportation of slaves through the States, but would prohibit the traffic in African slaves. If disunion comes, the baseness of the act would only be equalled by its stupendous folly. But, he would not say disunion, for it could not come. Nations do not die easy; man, in his mad folly, may attempt the destruction of the Union, but humanity denounces the act, and God would not permit it.

Mr. Latham's views possessed interest, apart from Latham's Views. their intrinsic nature, as an exposition of the feeling of his far-removed State, in regard to the crisis. He adverted to the loyalty and devotion of California to the Union. Lying in the arms of the Sierra Nevada, she was removed from the evils which might come upon some sections, but was not, therefore, a disinterested spectator of events when the Union was in danger. Disunion! It was never pronounced by Calhoun; it was a crime which the boldest ventured even to infer, only a short time since; now it was familiar as a household word to American ears. The great *fact* was upon us, as the empty seats in the Senate would testify. Whatever the cause, it only remained now for legislators to meet the crisis with words and deeds calculated to heal the great discord reigning, and to restore peace and harmony once again.

He then proceeded to a discussion of the causes, and to suggest the cure. Secession, as a constitutional *right*, he considered a fallacy—there could be no such thing. It *was* revolution, as Mr. Toombs properly characterized it. The right of revolution undoubtedly was inherent in man, but must as strenuously be denied by Government. A recognition of that right would be to sign the death-warrant of Government. It must depend for its justification upon its success—its failure will recoil upon its leaders. But, as this Government was founded upon the principle of the consent of the governed, it was the right of that class to decide for itself its own relations, if the question were viewed merely as a personal matter. Viewed, however, in *all* its relations, it was a question to be decided by all parties affected by its solution.

Latham's Views.

He reviewed the causes of the estrangement of the two sections, and found in the Republican party the centralization of a sentiment on the question of Slavery at once insulting and injurious to the South. There prevailed, to a limited extent, a conservative feeling among a large class in the party; but, the one cardinal principle of the organization, of enmity to Slavery, was logically and sensibly construed as enmity to the South. Acting in unison, the Slave States were rapidly concentrating this opposition to their enemies in the formation of a Government all their own, wherein the radical sentiment of the North could no longer interfere for their disaster. To resort to brute force in order to "conquer the South to obedience," was unworthy of men of this enlightened century. If we granted the power of the majority to rule, even to the employment of force, might instate mob law at any moment, anywhere. It would produce its legitimate fruits of disorganization if conceded to any majority which might band together to effect any specific purpose. The property, the peace of the few might be at the mercy of the many, who are ever in the majority. No! Our Government was one of peace—founded upon the consent of the governed; and, when six States rise up and proclaim their resolve to govern themselves, the question of authority must not be met by *force*.

Peaceful remedies he considered possible—nay, within their reach. The Democratic party of the North were friends and allies of the South. They had but to unite their forces, to forget their own unhappy and useless divisions, to inaugurate a great Constitutional party, which would sweep all before it at the *ballot-box*. A divided country he could only contemplate with horror. The pictures presented by the other Senators of the results sure to follow the downfall of the Government were not overdrawn. It could only be palliated by the peaceful formation of two new confederacies, which, though disunited with themselves, were one to the world. A peaceful separation was demanded, if all efforts at compromise must fail.

He approved of the several propositions

submitted by Messrs. Crittenden, Bigler and Douglas, but proposed that offered

Latham's Views.

by Mr. Rice, of Minnesota, as the one best calculated to give peace and harmony to the country [see p. 232.] He drew a sad sketch of the results depending upon the settlement of the question. If the agitation were to increase and war was to threaten, one thousand millions of dollars would not cover the loss, in the way of depreciated property, paralyzed commerce, crippled manufacturing. His peroration was as follows:

"A Government sustained only by force, must, from its very nature, be arbitrary, or must soon become a despotism, and in the disorganization and general chaos, we shall be happy if we escape foreign intervention, and are spared the humiliating sight of a European soldiery perambulating in triumph the streets of our once proud Atlantic cities. For what reason shall all these calamities befall us? Why shall we thus, in the midst of unparalleled success—in the full vigor of our national youth, for we have not yet reached even man's estate—become possessed of such a legion of devils—a prey to such insanity as to wilfully shatter our own household gods—to heap the ashes of our own hearth-stone on our devoted heads, and, with spiteful hands and flaming torches, set fire to and destroy that friendly and wide-spreading roof that has so sheltered all true Liberty's children in the whole world—casting to utter and eternal destruction the hopes and elevated aspirations of mankind? I implore you, Senators, as others have done before me, by everything dear to our hearts and sacred to our consciences, not to turn a deaf ear to the voice of the people, calling upon us, from all sections, to pause in our political career, and to prove to the North and to the South, and to the civilized world, that our hearts and our minds expand with the magnitude of the subject on which we are called to deliberate; that our patriotism can rise above party considerations; that when the honor, dignity, and existence of our institutions are at stake, there is no sacrifice of personal vanity, or the narrow sphere of partisan politics, that we are not eager, nay, proud to make, to save our common country. Senators, if from the realms on high it were vouchsafed by a beneficent Providence that the shades of our departed patriots, sages, and heroes of the Revolution might speak to us, for whom while living they so toiled and labored, and spilled freely their heart's-blood, how they would implore us to pause and retrace our steps from this perilous brink of destruction and fraternal strife! How would the voices of Washington,

Adams, and Jefferson, bursting the seal of death from their still glowing lips and his chill ceremonies from their potent hands, proclaim, as they did when living, that all true glory and historic renown are based on an elevated love of country, on a pure devotion to its lasting interests, and the abandonment of discord and strife! They would, they do implore, as living men may not implore, by their sacred wounds and scars, by that precious bond of liberty and proud title of American bequeathed to us to enjoy, and other lands to dream of as a vision of peace and glory, to be yet faithful to our Constitution and Union, to that law of equal right and love which is to nations the same saving grace it is to souls; that law given us, as all-powerful, by God himself, the only King they taught us as a nation we might ever own."

In the House, Friday, two conservative and conciliatory speeches were made by Southern men. They were in earnest of the spirit excited by the speeches of Messrs. Seward and Adams. Mr. Kellogg, (Dem.,) of Illinois, offered resolutions as a substitute to the recommendations of the Corwin Report. The substitute proposed amendments to the Constitution as follows:

"ARTICLE 13. That in all the Territory now held by the United States situated north of latitude 36 deg. 30 min., involuntary servitude, except for the punishment of crime, is prohibited while such Territory shall remain under Territorial Government; that in all the Territory now held south of said line, neither Congress nor any Territorial Legislature shall hinder or prevent the emigration to said Territory of persons held to service from any State of the Union, when that relation exists by virtue of any law or usage of such State, while it shall remain in a Territorial condition; and when any Territory north or south of said line, within such boundaries as Congress may prescribe, shall contain the population requisite for a Member of Congress, according to the then Federal ratio of representation of the people of the United States, it may, if its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without the relation of persons held to service or labor, as the Constitution of such new State may provide.

"ART. 14. That nothing in the Constitution of the United States, or any amendment thereto, shall be so construed as to authorize any Department of the Government in any manner to interfere with the relation of persons held to service in any State where that relation exists, nor in any manner to establish or sustain that relation in any State where it is pro-

hibited by the laws or the Constitution of such State; and that this Article shall not be altered or amended without the consent of every State in the Union.

"ART. 15. The third paragraph of the second section of the fourth article of the Constitution shall be taken and construed to authorize and empower Congress to pass laws necessary to secure the return of persons held to service or labor under the laws of any State, who may have escaped therefrom to the party to whom such service or labor may be due.

"ART. 16. The emigration or importation of persons held to service or involuntary servitude into any State, or Territory, or place, within the United States, from any place or country beyond the limits of the United States or Territory thereof, is forever prohibited."

When Mr. Latham, in the Senate, was, at the same moment, saying that the Democratic party of the North was the natural ally of the South and the protector of its institutions, Mr. Kellogg was proving the proposition, in the House, by his resolves.

The report of the Committee of Thirty-three being resumed, Mr. Hamilton,

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(Democrat,) of Texas, addressed the House in a speech characterized by good sense and a spirit of kindness quite in contrast with the declamation of his *Furioso* confederate, Reagan, and with the treasonable chattering of the "irrepressible Wigfall."

Mr. Hamilton, giving his views on the nature of the Constitution, regarded it as a compact—that all constitutions, from their very nature, were but compacts. It had given to it guaranteed rights, and, in turn, guaranteed certain rights to the parties to the compact, both people and States. The Government was made, by its guaranteed rights, supreme, so far as the exercise of those rights were concerned; and absolute, within the sphere of the power conferred upon it as a Government. The reserved powers of the States were only such as preexisted before the formation of the compact. His argument on this point was so strong that we may quote his words:

"But would any man say that they received a power which did not preexist at all, and that could not have existed before the formation of the compact? To assume such would be the wildest theory of these wild times. They said that they reserved the right of secession, but he contended that no such right existed anterior to the Constitution, because,

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in fact, there was no State that could secede. Then could it be said that the right of secession was one of the reserved rights of the States, when it did not exist prior to the formation of the Government? Certainly not. There was no right conferred, by the adoption of the Constitution, on any State, or the citizens of any State, growing out of that Constitution, or on the part of any State, or the citizens of any State, growing out of that compact, that was not permanently provided for by the Constitution, either in precise or general terms. Were this and the other proposition true, then it followed that no constitutional or legal right of secession existed at all. The right of revolution he admitted; but that right could not be exercised properly, unless it was exercised to oppose oppression and tyranny. The question of moral right depended on that of oppression; and no person had a right to revolutionize against a Government until the Government had become oppressive. Then, if secession involved all the consequences of revolution, why quarrel about the terms?"

He therefore declared that those States which had seceded, or were preparing so to do, must take the consequences of revolution. That they were acting most despotically and recklessly, for the interests of other States, he asserted to be true. He contended, with much force, that the most despotic power in Europe would not dare to change its Constitution or form of government, whereby its relations would be changed with other powers, and the interests of others would be affected, without first consulting those peoples or nations so affected. Thus, Louisiana had seceded, and, by that act, had cut off the State of Texas from the still existing States of the Union. Now this was one of the most flagrant breaches upon the rights of others that had ever come under his knowledge. Had Texas foreseen the likelihood of a secession of this kind—had she, for a moment, imagined that this right of secession existed in the States, and that, by virtue of it, Louisiana could, at any moment, have seceded from the Union—Texas would never have joined the Confederacy.

This forcible argument appealed with such power to the common sense of his hearers, that Hindman, of Arkansas, sought to parry its force by reverting to the inherent right of revolution. He asked Hamilton if it were only to be allowed when several States acted

in concert? Hamilton re-

plied that the *right* of revolution was not defined by

Hamilton's Speech.

any geographical lines. Not only any State might rebel, but any number of persons in a State had the same right, if any such right existed at all. All persons could resort to revolution, if they were prepared to take the consequences. The only justification for the violent act was to be found in oppression, which it needed violence to correct. Did any such oppression exist? He said not. No grievance of which the South complained, which could not have been remedied *in* the Union! Nor did he believe the grievances of such a nature as to justify a withdrawal of the public confidence in the good faith of the Government. The South had a right to demand that the North should treat them with fairness, and that they should receive protection for their slave property in transit in the Territories. The Republicans themselves admitted that the Constitution recognized property in slaves.

To this Lovejoy, of Illinois, dissented. Mr. Hamilton asked whether or not he (Lovejoy) believed that the Constitution recognized the *right* of Southern men to the service of those who owed them labor? The Illinois member replied that, in his view, Slavery, so far as the Constitution was concerned, existed outside of that instrument, under the protection of State rights, which the Constitution had nothing to do with, one way or the other.

Hamilton replied that he saw no use in the Constitution, if it guaranteed protection to nothing but what was first protected by State laws. It was contended, on the other side, that Congress had the right to exercise power on the subject of Slavery, as between the States, so far as trade, in that property, was concerned, and that it had the right to deal with it, without restriction on the question, in the Territories, all which the South denied. He had ever admitted, even since 1836, and at a time when no other man in his State dare dispute the dictation of politicians—he had ever contended, since that time, that the people of a Territory had themselves the power of dealing with Slavery as a domestic institution, to be established

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or prohibited, as they thought fit. He supported the views advanced by Mr.

Adams, of Massachusetts, with regard to Slavery in New Mexico, taking the ground that the South have a right to go into the Territories with their property. He said, if gentlemen would consent never to interfere with Slavery in the States, and solemnly forego interference with the inter-State slave-trade, that would do much to secure the friendship of every man who is willing to see the Union preserved.

Stanton, of Ohio, knew of none who claimed any right to interfere. Hamilton was not sure that this was so; but he knew it to be true that the South believed that a party was about to succeed to the Government which actually was going to interfere with Slavery where it then existed. Only satisfy the South that this is *not* so, and peace would be restored. When he left his home, two thousand miles distant, for Washington, his foot pressed no foreign territory, his eye rested throughout his journey on no material object that was not part and parcel of his own country; and when Congress assembled, every State and Territory was represented on the floor. If he returned to his home, he must traverse four foreign Governments. The Temple of Liberty was lately completed in all its parts—every pillar in its place, and the apparently devout worshipers were gathered around its altar; but, the storm burst, and, proud and majestic as the temple was, its foundations were moved as if by an earthquake, and now its dome reels like a drunken man. He had been called on here and at home to “come out,” and he had been threatened and entreated to that course; but, no threats and danger should tear him away from the Union until he had saved the horn of the altar, and implored Heaven to allay the storm and again uprear the same pillars which sustain the weight and add their mounted beauty to the structure.

This most excellent and patriotic speech was followed by one equally patriotic from Mr. Stokes, (Am.,) of Tennessee. He thought with Mr. Hamilton, that there existed no just cause for sundering the Union. The

right of secession did not exist under the Constitu-

Stokes' Speech.

tion, nor was there any right of revolution, except for intolerable oppression, and when all constitutional remedies had failed.

He had sworn to support the Constitution, and he should be true to his oath. States had equally pledged themselves to the United States, and could not sunder their relations at will. No power on earth should induce him to utter one word to encourage, in any way whatever, a State to secede. Tennessee and other States were asked to join the Southern Confederacy; but, as the seceded States had proved faithless by withdrawing from Congress, when it was in their power to prevent mischief, and would not stand by the remaining Slave States, how could the latter rely upon them if they went into a Southern Confederacy? The plan of this disunion was concocted and agreed on two years ago by the leaders of the Democratic party in the Cotton States. If certain demands were not granted by the Charleston Convention, then it was to be broken up, and a separate Confederacy established, whose object was to open the slave-trade, conquer Mexico, and annex Cuba. Disunion was a scheme of a few excited madmen and politicians—ambitious men seeking for power. He admitted that he was a submissionist, and would rather be called this than rebel and traitor. He was for the Union, the Constitution, and the enforcement of the laws. He was not for coercing a State, but would not submit to South Carolina coercing other States. Firmness and moderation ought to be exercised. He believed that the difficulties can and would be adjusted to the satisfaction of the Border States, but not to that of South Carolina and the other seceded States. The working-men, farmers, tradesmen, and others in the remaining Slave States were struggling, as if for life and death, to remain in the Union. He would not be true to himself and to the country if he did not take a stand against the secession movement. In the name of God and high Heaven, pass something to hold these States together, and preserve all that is dear to us in rights, persons, and property! If we cannot settle the difficulty now, while

we are friendly, how could we do it after the Union is hopelessly dissolved? In conclusion, he earnestly appealed to the Republicans to give, by amendments to the Constitution, the rights and the safety to the South which they say they are willing to secure, and spoke in commendation of the Border States and Crittenden propositions. However, any plan of settlement would meet with his most hearty approbation.

At the evening session
Killinger's Speech. of the House, Friday, Killinger, (Rep.,) of Pennsylvania, delivered an able and considerate speech. He would fellowship with the Border States, and was prepared to meet them half way. It is no time for partisanship. Mere platforms, hastily constructed in the excitement of crowded Conventions, would not discharge men from the responsibilities they owe before God and their country. When next the ballot-boxes open and send forth their thunders of vengeance, it would shake all the platforms and parties which reject obstinately all propositions of conciliation and peace. The hope of relief to the suffering industrial interests, and confidence in the honesty of Mr. Lincoln, carried Pennsylvania, as well as the popular opposition to Slavery extension. The mere Abolition element sympathized with the nullifiers, and rejoiced in the fulfillment of their joint purpose—the dissolution of the Union. He deprecated changes in the organic law, and preferred Congressional legislation to constitutional amendments. Once open the door, fools would rush in where angels fear to tread. The controversy must have a peaceful solution. The gulf was not so wide that it cannot be spanned by conciliation; nor yet so deep that it cannot be fathomed by mutual forbearance. He eulogized Mr. Crittenden as the last of the statesmen which the Whig party gave to the country. He was worthy to wear the mantle of the immortal Clay. He complimented Maryland. Pennsylvania will stand shoulder to shoulder with her patriotic Governor. He gazed with pride on the memorials of patriotism which adorn her Monumental City like altars of devotion, and prayed God that so long as the mute but eloquent statue of the Father of his Coun-

try looked down from his pedestal, he would plead trumpet-tongued for the maintenance of the Union and Constitution.

Quarles, (Am.,) of Tennessee, followed. He said Quarles' and Wilson's Speeches. that no person sympathized less with disunion than himself. There was no warrant for it in the Constitution. He believed, however, in the sacred right of revolution, maintaining that when a Government became oppressive it was a duty to overthrow it. He spoke of the generosity of the South, which had given to the North three-fourths of what had been acquired as Slave Territory. He advocated the restoration of the Missouri line, protecting Slavery south of it by constitutional amendment. This would restore peace as it did in a former time. He preferred Mr. Crittenden's plan, and believed if it were adopted, the Seceding States would return to the Union, and Tennessee remain firm. This would settle the Slavery question forever.

Wilson, (Rep.,) of Indiana, did not regard "conciliation" as potent enough to heal the wounds inflicted by Slavery. There was no cause whatever in this wicked rebellion—it was the offspring of the hateful spirit of Slavery. Until the wrong itself disappears, there can be no settlement. Its very breath is poison to peace, and to free institutions. It cannot live in the air purified by the strong blasts from the North; and was bent on disorganization to perpetuate its too long ascendancy. His views were decidedly against compromise. The Constitution already gave but too much power to the South, and he was willing to make no further concessions to it. Be firm! Sustain the Constitution and uphold the laws to the end, and God will bless the right!

In the Senate, Saturday, (February 2d,) Chandler, A Wolverine Document. (Rep.,) of Michigan, presented a petition from citizens of that State asking the Senate: First, to ascertain whether they have a Government *de facto* or not; second, that if so, measures be taken for the apprehension of all persons presenting themselves at the seat of Government under pretence of being Commissioners from independent Governments, on charge of treason;

third, that measures be taken to protect the archives of the Government; fourth, that the forts, while in the possession of the Government, in the South, be promptly supplied with men; fifth, that a sufficient number of vessels be placed in Southern ports to protect commerce and collect the revenue. Of course this received no consideration, but it was felt, by the Northern Senators, to express the true feeling of the majority of people in the great North-west—so rapidly was the sentiment of resistance to revolution taking determined shape.

In the House, Saturday, Mr. Sherman called up the Important Loan Bill. bill authorizing the President, at any time before the 1st of July, to borrow, on the credit of the United States, not exceeding \$25,000,000; certificates to be issued for not less than \$1,000, with coupons payable, semi-annually, with interest, and the faith of the United States pledged for the payment of the interest and principal. Several substitutes were offered and much opposition manifested by the Democrats and Southerners to the loan. It passed, 124 to 46.

CHAPTER XXI.

FEBRUARY 1ST. NORTHERN AND SOUTHERN ULTIMATUMS. THE RELATIVE POSITIONS OF THE REPUBLICANS AND THE OPPOSITION. OVERTURES OF MESSRS. SEWARD AND ADAMS. VIEWS OF MR. DOUGLAS AND JOHN P. HALE. REPLIES OF MASON, OF VIRGINIA, AND WIGFALL, OF TEXAS. THE UNION IN THE BALANCE. PROPERTY IN MAN THE ISSUE FORCED.

THURSDAY, January 31st, Mr. Seward presented to the Senate the memorial of the New York Chamber of Commerce, bearing 38,000 signatures, petitioning for a settlement of national differences by compromise. The report, instructing the Committee of Twenty-five, who bore the memorial to Washington, commended the proposition of the Border States Committee as the basis of adjustment, [see page 172.] In presenting it, Mr. Seward delivered his views, at length, on the crisis. His speech drew out Mason, of Virginia, Mr. Douglas, John P. Hale, and Wigfall, of Texas. Their several speeches canvassed the entire question of Union and disunion. Being the recognized exponents of their parties and sections, their declarations are to be regarded as landmarks in the legislative history of the revolution, and will be referred to by historians as authority for their conclusions respecting the relations of the contestants, and the accountability of each for the results which followed to the country. The speech of Charles Francis Adams, on the

same day, in the House of Representatives, added to the significance of the day, in its historical relations. We shall, therefore, quote quite at length from their efforts, and thus place within the reader's reach the means for forming a correct judgment upon the great issues, as they were shaped February 1st.

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Speech

Mr. Seward said, in reference to the memorial, that it was an embodiment of the feelings of that eminent class which controls the commerce of the nation's greatest emporium. The memorial might, he said, also be regarded as a fair exponent of the wishes and views of the whole commercial interest of the country. Such a memorial would command obedience in England, France, Russia, Prussia, or Germany—where the will of commerce decides questions of peace or war. Happily for the United States, commerce was but one of several interests entitled to a controlling influence. Agriculture, manufactures, mining, each are entitled to, and receive, equal re-

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spect. As representatives of the interest of commerce, the memorialists are worthy of the Senate's consideration.

Mr. Seward had waited anxiously for propositions which the seceding States might offer as terms to the adhering States; or, to state the proposition in its other form, he had seen nothing which would justify him in believing that any of the propositions submitted by the adhering States would be accepted by the seceding States. He had held himself open and ready for the best adjustment which could be practically made. He approved the spirit of conciliation, of fraternal kindness, of affection, adopted by so large a portion of the people of his State towards the various sections of the country, and, in return for acting as their spokesman, in presenting their memorial to the Senate, he should advise them to continue to manifest the same spirit, to show forth their devotion to the Union by voting for it; and, if it should be demanded, by lending or even giving their money to it; by fighting for it *in* it, if it must come as a last resort for its maintenance, taking care that speaking always goes before voting, voting goes before the giving of money, and all go before a resort to arms, which, at best, was hazardous and painful, and therefore should be the last measure to be resorted to for the salvation of the Union. This was the spirit in which he had determined to come up to the great question, which he thought would yet be peacefully settled. He had not expected the great controversy to be settled in the sixty days of Congressional action already had; nor did he expect the allotted ninety days of the session would see the differences adjusted, peace restored, and the Union firmly reestablished. It was not time enough for the people to appreciate the danger and to agree upon the remedy. A great many and various interests and elements are brought into conflict in this sudden crisis, a great many personal ambitions, and a great many sectional interests, and it would be strange if they would all be accommodated, arranged, and harmonized so as to admit and give full effect to the one profoundest and most enduring sentiment or passion of the United States—that of devotion

to the Union. These—whether you call them Secession or Revolution on the

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one side, or coercion or defiance on the other—are all to subside and pass away before Union, which is to become the grand absorbing object of interest, affection, and duty upon the part of the citizens of the United States. A great many partisan interests are to be repressed and suppressed to give peace to the partisan interests expressed by the Charleston Platform, the Baltimore Platform, the Chicago Platform, by the Popular Sovereignty Platform, if, indeed, the Union is in danger, and is to be saved. With these interests and with these platforms, everybody standing upon them or connected with them is to pass away, if the Union is in danger and is to be saved. He added: "But it will require a very short time, if this Union is in danger and does require to be saved, for all these interests, all these platforms, and all these men to disappear. You, everybody who shall oppose, resist, or stand in the way of the preservation of this Union, will appear as moths on a summer's eve, when the whirlwind of popular indignation arises that shall be excited at the full discovery that this Union is endangered through faction, and even impracticability, on the one part. I have hope and confidence that this is to come around just as I have said; and quite soon enough, because I perceive, although we may shut our eyes to it, that the country and mankind cannot shut their eyes to the true nature of this crisis."

He then adverted to the issue actually presented. The vital question of antagonism between the North and South was sprung upon the country twelve years ago, but was strongest in its development in 1850, when all the Pacific coast, and all the Territory intervening between it and the Louisiana purchase, was thrown suddenly upon our hands, for the purpose of our organizing in them free and independent Republican Governments as a basis of future States. It had been an earnest—nay, an angry controversy, but it was closed, on the previous day, by the admission of Kansas as a State. The vital issues were closed—though there remained the passions which the long contest had engendered. He said:

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"Kansas is in the Union,
California and Oregon are in
the Union, and now the same

contest divides and distracts this Union for Freedom and Slavery in the Territories of the United States just as before. What is the extent of the Territories which remain, after the admission of Minnesota, Oregon, and of Kansas? One million, sixty-three thousand, five hundred square miles—an area twenty-four times that of the State of New York, the largest of the old and fully developed States. Twenty-four such States as this of New York are yet to be fully organized within the remaining Territories of the United States. Now, under what is accepted by the Administration and the Government as a judicial decree, upheld by it, and put in practical operation by it, every inch of that Territory is Slave Territory. I speak of that decision not as I accept it, but as it is accepted and enforced by the existing Administration. Every foot of it is Slave Territory as much as South Carolina. Over a considerable portion of it a Slave Code, made by a Government created by the Congress of the United States, is enforced; so that, according to the claims of those who insist upon their rights in the Territory of the United States for Slavery, the whole of this 1,063,000 square miles is Slave Territory. How many slaves are there in it? How many have been brought into it during these twelve years in which it has been not only relinquished to Slavery, but in which the Supreme Court, the Legislature, and the Administration have maintained, protected, and guaranteed Slavery there? Twenty-four African slaves! One slave for every forty-four thousand square miles. One slave for every one of the twenty-four States which, supposing them each to be of the dimensions of New York, or Pennsylvania, or Indiana, cover that portion of the area of our Republic. Sir, I have followed this thing in good faith, and with zeal and energy, but I confess that I have no fears of Slavery anywhere. In the peculiar condition of things which has existed, Slavery has succeeded in planting only one slave upon every 44,000 square miles of Territory.

"This, then, has ceased to be a practical question. In lieu of it comes up a great, and vital, and fearful question—the question of union, or of dissolution of the Union—the question of country or of no country—the question of hope—the question of greatness, or the question of sinking forever under the contempt of mankind. Why, then, should I despair that a great nation of thirty millions will be able to meet this crisis? I have no fear. This is a Confederacy. It is not an imperial government, or the government of a single State. It is a Confederacy, and it is, as it ought to be, dependent upon the continued assent of all the members of the Confederacy to its exist-

ence, and subject to dissolution
by their action. But that assent
is to be always taken by virtue

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of the original assent, and held until, in the form prescribed by the Constitution itself, and in the time, and in the manner, and with all the conditions which the Constitution prescribes; and those who constitute the Union shall declare that it shall be no longer that thirty days, and sixty days, and ninety days, given us by the disunionists; it may not be enough for their policy and their purposes. I hope and wish that it may be time enough for the policy and purposes of the Union. God grant that it may be so; but if thirteen shall turn out not to be enough, then I see how and when all these great controversies will be settled, just as our forefathers saw when they framed the Constitution. They provided, seventy years ago, this present controversy. This whole controversy shall be submitted to the people of the United States, in a Convention called according to the forms of the Constitution, and acting in the manner prescribed by it. Then, sir, this country will find sudden relief in the prompt and unanimous adoption of measures necessary for its salvation, and the world will see how well and how wisely a great, enlightened, educated, Christian people, consisting of thirty-four sovereign States, can adjust difficulties which had seemed, even to themselves, as well as to mankind, to be insurmountable."

Mason, of Virginia, followed. He said:

"When the Government is
in progress of disintegration;
when there are six States

Mason's Declaratory
Speech.

that have separated from the others, and are now arming themselves upon a large scale; when my own State appropriated, twelve months ago, in anticipation of what now seems to be occurring, the very large sum, for a single State, of half a million of dollars to purchase arms; and when, within a few days, another appropriation was made of \$1,000,000 for the same purpose; when we find that other States have done the same thing; when we find that the people themselves are arming; when counties and towns are exercising their municipal authority, and are raising money for this same purpose—while these things are going on, and while the public mind is engaged in the Slave States that are not yet separated in devising some mode by which the American mind can again be united in a common union, what do we hear from the Senator from New York, (Mr. Seward?) What do we hear from that Senator who now occupies the position before the country which he now does, acknowledged to be the head of the political combination which is to bring into power the incoming Administration, said by the newspaper press to be the probable right hand of that Admin-

Mason's Declaratory
Speech.

istration—what do we hear from that Senator? Any suggestion from a quarter of such weight as to what he would recommend to a majority of the States, in order to meet the demands, just or unjust, of the Slave States? None. Any remark approving or disapproving the propositions before the country, to amend the Constitution in this regard? None. We know what his opinions are in regard to the proposition offered by the venerable Senator from Kentucky, (Mr. Crittenden,) by declaration and by votes, uniform and continued. We know what his views are in the negative, and what are his views in the affirmative. His affirmative vote was given in this chamber to substitute the resolutions of the Senator from New Hampshire, (Mr. Clark.) What are they? Propositions declaring, in substance, that the Constitution needed no amendment; that the demands of the Southern States are unreasonable, and that the only remedy for this condition of things in the country was to enforce the Constitution and the laws. That is the affirmative view of the honorable Senator from New York. Now, what is it he has elaborated? Why, the honorable Senator, in the midst of a maze of generalities which marked his speech—and it was a maze, and a misty one—in that general maze he marched to the line and told us what his policy was, and I assume it is the policy of those he is to bring into power.—And what was it he told us? What his recommendation to these gentlemen who have sent here this enormous petition? Not adopting their views, not looking to any amendment of the Constitution whatever, his recommendation is given to us in four distinct propositions—of what is to be the policy of those whom he intends to lead—if history does not misinform us, after the 4th of March next. He recommends that these gentlemen, when they go home, should employ themselves in the great work of restoring the breaches made in the Union. How? Why, he said, speak first, next vote for the Union, next give money for the Union; and the last, fight for the Union. These are the four measures proposed by the Senator to heal the gaping breach in the Union. I can understand what he means when he recommends his constituents to speak for the Union. I can understand when he recommends them to vote for the Union. But I would like to know what he means when he recommends them to give money for the Union?"

Mr. Seward explained. Government had been humiliated so far, by its financial management, as to see its stocks—which, two years before, commanded a premium—fallen so low as to be sold at a discount of thirty per cent. The credit of New York on her

six per cent. stocks commanded a premium. The petitioners on the memorial

Mason's Declaratory
Rejoinder.

were those who held the treasure of the city in their keeping. "He therefore recommended to them publicly, as he had done privately, that they should advance to the Union money on loans and on Treasury notes, as they now actually are furnishing, in that way the money by which the President, Congress, the Departments, yourself and myself, and, in short, every department of the Government, is sustained; I have recommended to them at this crisis that they should sustain the Government of their country, and maintain the credit to which it is entitled."

Mason presumed that that was the use intended to be made of the money. He did not, in his own mind, do the Senator the injustice to believe that with this money he proposed to subsidize or demoralize the Southern States. He took it for granted that it was to sustain the army which was to conduct the fight, which he recommends.

This ungenerous contradiction again called up Mr. Seward. He replied:

"I am sure the honorable Senator does not intend to misrepresent me. I contemplated, after the expiration of all compromise, a Convention of the people of the United States, called in the constitutional form; and after that Convention shall be held, or refused to be held—when it is impossible anything can be done but that, by force of arms, this Union is to stand or fall, I have advised my people to do as I shall be ready to do myself—to stand by the Union; to stand or perish with it."

This sentiment brought loud applause from the galleries, then crowded densely by one of the most eminent audiences which that new chamber yet had seen gathered within its walls.

Mason then resumed:

"I wanted to bring the honorable Senator, who is the exponent of the new Administration, to the policy by which it is to be directed. I understand from him now, that all remedies failing, through the Constitution or a Convention of the States, his recommendation is battle—bloodshed to preserve the Union. His recommendation to the people is, that they shall contribute money, which shall march an army upon the South—for what? To preserve the Union. It is gone. It is broken. There is no union now in this country. Sir, those States were out;

and if the battle is to be fought, it is to be fought against them for the purpose of reducing them to subjection and dependence. That honorable Senator is too wise in the experiences of States, and knows too well the construction and theory of this Government, to believe for one moment you could ever subjugate the people of the States to restore the Union. I want to speak to them. I want to let my people, the people of Virginia, who have offered themselves as mediators to restore this Union, know that this is the remedy we are to expect from the counsels of those for whom the Senator acts."

Seward's Explanation.

Seward here interrupted, to qualify Mason's inferences, and said:

"I looked to no such contingency as Seceded States and a dissevered Union. I looked to no such condition of things. The honorable Senator and I differ equally in regard to the future and in regard to the present. He, with the earnestness of an ardent imagination, sees this country hereafter rent and dissevered, and then recombined in separate Confederacies. I see no such thing in the future. But I do see a returning of reason and judgment to the American people; a return of harmony, and a consolidation of the Union firmer than ever before. The honorable Senator may very well see that we may differ in our anticipations of the future, because we differ so much in regard to the actual living present. Sir, I am in the Union of the United States—this same blessed, glorious, nobly-inherited, God-given Union. I am in the Senate Chamber of the United States, pleading for it—maintaining it—defending it. The honorable Senator says it is gone—that there is no Union; yet he is here, on this same floor with me, and where is he? In the Union or out of it? He is actually present here, and I hold him to be in the Union. I will not refer to those associates of his and mine who are not here now. * * * But the Senate Chamber is here. The seats are there, the States are here; the Union is here, here are all these, and I expect that there will be, in the returning of reason, a further choice from those States, and these places will be filled. If I contemplated that, in any case, it would be necessary to fight for this Union, it is because I know that treason and sedition may—not alone in the States of the South, but in the States of the North, anywhere and everywhere—be excited and armed so as to assail the Union. And whenever it shall come to that, whether in my State or any other State of the Union, then I expect whatever can be done shall be done which reason can do; then I expect what is right to be done shall be done in the way in which treason, in the last resort, is necessarily, as well as painfully, met."

Mason rejoined, that he gave the Senator

the full advantage of this commentary upon his preceding declarations, and desired to place before the American people the fact that he proposes but one remedy—either to preserve this Union or to restore it, and that is the *ultima ratio regum*. Seward interpolated. "I did not say 'restore,' I said '*preserve*.'" Mason then resumed, speaking earnestly and with some excitement:

"Well, let the Senator choose

his language. He has presented the argument of the tyrant—

Mason's Speech.

force, compulsion, and power—as the only resort. He says he is to punish treason and sedition, whether he finds it North or South, and that is the only remedy he proposes in the existing state of facts. He takes no notice of the other fact, that organized political communities, claiming to have resumed all the sovereign power which they once delegated to this confederation, are now out of the Union—actually and completely outside. There is not a Federal officer in their limits—not one—with all Federal authority denied—with laws punishing as sedition and treason obedience to any authority abroad. And yet the Senator still says we know nothing of all that—nothing of the purposes of Government. I understand him to ignore all that, as though it did not exist. And be it one man in a local Convention who is resisting the laws, or be it 3, or 5, or 10,000,000, still it would be treason and sedition, and he knows but one remedy—force, sir; I want to bring him to that point. I want that, of others, the people of my honored State should know, and that the scales should fall from their eyes. I am aware that there is a puny, pusillanimous trick to hoodwink the eyes of that people by crying 'peace, peace,' when there is no peace. I point them now to the remedies proposed by those most potent in the councils of the new Government. I point them to the four great remedies proposed by the Senator. If I were to use a light expression on so grave an occasion, I should say the Union is past praying for. Speaking will not do; voting will not do; because those men who are to be parties to the voting are outside the Union, and will not vote. And money—how is money to do it? Why, the honorable Senator has disclosed how. Not by demoralizing or subsidizing by bribery, but by using it as the sinews of war. The next thing in the four acts of the drama to be enacted is, battle! battle! Now, sir, let my people understand it; and if any man among them is so puny as to be deluded by these idle efforts, by circulating papers among them, saying there are propositions for amendment of the Constitution which will be carried—propositions that will secure their rights—be

Mason's Speech.

patient and wait like good children,'—if there be among the manhood of the whole South

any puny enough to be deceived by such contrivances, I point them to the words of the honorable Senator from New York. It is money and war which are looked to to reduce us.

"I know it is my infirmity to appear to exhibit something like anger, but I do not feel it. I have none of it. Men who are upon the eve of measuring swords conduct themselves as gentlemen, and use no language of menace and threat. I trust we may avoid the *ultima ratio* of the Senator from New York. If it be in the providence of God that these Slave States are to confederate and form an independent Government, with a nationality, a flag, an army and navy, and a credit—if that be reserved in the unspoken speedy future, I trust that the good sense, the humanity, the civilization, the regard for unborn posterity, will lead the people of both North and South to repudiate the counsels of the Senator from New York. I shall look to that humanity, that good sense, that civilization to interpose the broad ægis of the popular will, to avoid the only resort which the Senator from New York looks to—that of force and subjugation.

"Sir, I have told gentlemen that I have met here from other States honored men, who have come here as volunteers, really upon a mission of peace; I have told them that it was manifest that there was great and imminent danger of a collision between the States, and, if they desired to preserve the Union, in my judgment, they should make it their great work to avoid that collision, and to avoid the civil war that must ensue when men's minds are really heated to madness, and passion usurps their reason. These have been my counsels. What have been those of the Senator from New York? Here, amid hostile fleets, and armies pitted against each other, in two Southern States—here, where we are in momentary expectation of hearing of a collision between them, what are the counsels of the Senator from New York? 'Speak for the Union, vote for the Union, give money for the Union; and last of all, fight for the Union.' I repeat it, I trust the good sense, the wisdom, the civilization, the humanity of the age will rescue this country from the effect of any such counsels.

"But if that potency which is ascribed to the opinions of that honorable Senator is correct, it will admonish the people, now meeting in their sovereign capacity, in their Conventions in the Southern States, to let the idle delusion pass—the idle delusion that they are to have peace from any amendments to the Constitution. We have now, for the first time, distinctly shadowed forth that which I confess, among others, I had seriously apprehended,

that the counsels of the leaders would be—force—force. We have it now avowed openly. I

Mason's Speech.

trust the scales will fall from their eyes, and I trust, in the Free States, there is a body of good sense, an enlightened basis of patriotism, sufficiently free from the shackles of party obligations, to see the folly of such counsels! What! war to restore this Union or preserve it? And that men, of sense shall be deluded into war, under the pretence of only 'enforcing the laws!'

"I appeal to the Free States to repudiate the counsels of the Senator from New York, and disown them; and if, in the providence of God, it is to result that we are to separate into two confederacies, then let the counsels of peace prevail, and not the counsels of the Senator from New York. Let the counsels of peace prevail, as the only counsels which can avert that greatest of all calamities—war between brother and brother—war between races, which could conquer peace only through oceans of blood and countless millions of treasure. And, when peace came, would you find a free people, capable of constructing a Government? No. You would find a people subjugated and crouching under the tread of a despot, and you would find the warrior clad in arms with money contributed under the counsels of the Senator from New York! That would be the result of war, and the only result. I earnestly trust, in despite of these counsels, these reports which are now making, through the mediation of my honored State, may restore harmony to the Government, and that there is an enlightened patriotism in this country that will meet and separate in peace.

Mr. Seward again replied:

"I have been surprised at the delusion which the honorable gentleman from Virginia has

Seward's Reply.

been able to practice upon himself, and to make out of a speech, pacific, fraternal, and cordial, such as I have made, a declaration of war. I cannot account for it, how it is that, while his sense of honor remains so clear and bright, he avoids all those personalities which might vitiate, yet his judgment is somehow so under his passion, that he cannot see anything but war, in a speech which proposes simply this—that, since this Union is in danger, every other question must be subordinate, and yield to the consideration of the removal of that danger, by the pacific, constitutional action of the American people, by speaking first, by voting, by consultation, by defending the Union, where it stands, by supplying and maintaining the credit of the Government; and last, in the last alternative, after everything is exhausted, all the existing modes of settlement, and

Seward's Reply. all others that may be suggested; and, finally, a Convention, a constitutional Convention, then to stand by this good old flag, and, if it is to fall from its eminence, to be wrapped in its folds."

"Sir, the honorable Senator should have recollected that when I came into the Committee of Thirteen, I listened to every proposition which was made. And will any one say that I offered up no prejudices, no concessions to propitiate an agreement? What proposition did I refuse to consider? None. And when I voted to substitute a constitutional provision for the settlement of this question, in preference to a proposition which requires to take, in an unconstitutional and ineffectual way, the sentiments of the people upon the resolutions of the Senator from Kentucky, I did it in a spirit of kindness and concession. This very proceeding of the State of which the honorable Senator speaks so proudly, I recommended to my own State, and it is now acting in sending Commissioners to meet the other States in their Convention. And does not the honorable Senator know that the State of New York stands ready to hear and consider every plan, whether within the forms of the Constitution or without them, to settle this question peaceably and without resort to the sword? That I am with the State of New York in that? But I learn from the interest, for which the Senator seems to speak, that no suggestion which has been made, or which can be made, will satisfy the interest of Secession. If, after all this has failed, the States of this Union who agree to stand by the Constitution will take up and settle this controversy about twenty-four slaves in a Territory of 1,060,000 square miles, or whether, with the Senator from Virginia, they are willing to sacrifice all this liberty, all this greatness, all this happiness, all this hope, because they have not wisdom, virtue, and intelligence enough to adjust a controversy so frivolous and contemptible."

Mr. Mason asked Mr. Seward by what authority he asserted that he (Mason) spoke in the interest of secession? Seward qualified it by saying in behalf of, or in sympathy with, secession. Mason replied that he was speaking for Virginia. She would never remain in the Confederation unless guarantees be effectually made for the preservation of her rights. In a colloquy with Cameron, of Pennsylvania, he said that she was not willing to submit the question to the mass of the American people. The Constitution recognizes the people as separate, independent, sovereign communities; and when you come to amend the Constitution, constitutionally,

Pennsylvania, with all her population, will have but one vote; while Rhode Island and Delaware will have the same. The Constitution provides no "popular" method of amendment.

Mr. Douglas was constrained to speak, from Mr. Mason's having made reference to his (Mr. Douglas') dispatch of communications to Virginia, expressive of hope for the Union. He had answered letters to Virginians in a hopeful spirit, but had not failed to say that everything depended on the action of Virginia—if she could be saved, then the Union could be saved. Mr. Douglas then added:

"I think it is very clear that the Senator (Mason) has one object in view, and I a very different one. I desire to see peace maintained and the Union preserved by an honorable, fair adjustment of the questions in dispute. I have failed to see anything in the action of the Senator which encouraged me to hope that he had the same desire.

Douglas' Union Speech.

The other day, when the Senator from Pennsylvania (Cameron) made large advances towards conciliation, and intimated his willingness to accept the substance of the Crittenden propositions, or of any other fair adjustment, I was pained that his advances seemed to be repelled by the Virginia Senator; and I was amazed, yesterday, when a question arose here about conciliation, and concession, and compromise, to hear the Senator exclaim: 'We want no concession!' That sentiment was applauded by the Senator from New Hampshire, (Hale,) and by those whom I understand to be uncompromising on the other side of the chamber. * * It presented to me a painful and yet not unusual illustration of the fact that extremes often meet. Extremes North and South often meet and unite in resisting the efforts of the friends of the Union. Their joint efforts lead to the same end, though prompted by different motives; both seek inevitable disunion, now and forever.

"I was pained again, this morning, when the honorable Senator from New York made a speech, conciliatory and patriotic, showing every desire to have these matters amicably arranged, if possible, that, instead of being met in the spirit in which it was offered, his advance was also repelled as if there were alarm and fear lest reason, moderation, and justice might return, and the Union men of North and South—the conservative men—might possibly agree upon some basis of settlement. I have not been able to conceal from my eyes that there are gentlemen on this side of the chamber who do not want any settlement. I saw it the other day, when the vote was taken on substituting the Clark resolutions for those

Douglas' Union
Speech.

of the Senator from Kentucky,
* * * * thus permit-
ting the proposition of the

New Hampshire Senator to be adopted in consequence of their refusal to vote against it, and instantly sitting down to their tables to write and send off dispatches that *'there was no hope, because the Black Republicans had voted down the propositions of Mr. Crittenden!'* * * It is no longer worth while to conceal from ourselves the fact that the extremists on this side of the chamber and on the other are in concert, from different motives, to defeat a settlement. * * Both desire to defeat an adjustment; and, in my judgment, each side know and believe that, if they defeat it, disunion is inevitable, and both desire disunion to compromise."

Johnson, of Arkansas, interrupted Mr. Douglas to say that their motives justified the Southern members for refusing to vote—that, when they saw the Republicans giving the resolutions their unanimous vote, "showing the drift of the whole of them," the Southern men were not going to oppose them. Mr. Douglas impugned no motives—he only had to repeat that their refusal to vote passed the resolutions, and that, when passed, the Southern men telegraphed as he had said. Mr. D. continued:

"I never intend to give up the hope of saving the Union so long as there is a ray left. Now, sir, why should we not settle this question? The Senator from New York has shown us that the contest has gone on for twelve years; he has assumed that, during these twelve years, the South has had control of the Government and given every possible protection to Slavery in the Territories, and yet they have succeeded in planting only *twenty-four* slaves in all the Territories—Territories twenty-four times as large as New York. Does not this fact prove the utter fallacy of this Government attempting to plant Slavery where the climate is adverse and the people do not want it, and the utter folly of the other side of the chamber bringing this country to the very verge of disunion in order to prohibit Slavery where the very power of the Government *could not make it exist?* * * * Why break up the Union on an abstraction that has no practical results in it? Why cannot the one side give up its demand for prohibition, and the other for protection, and adopt an amendment to the Constitution in these words:—

"Congress shall have no power to legislate upon the subject of domestic servitude anywhere—except to perform its duties under the Constitution in respect to fugitives from service—and the prohibition of the African slave-trade."

"Do that, and you will have peace; do that, and

the Union will not perish; do that, and you do not extend Slavery one inch, nor circumscribe it one inch—you do not emancipate a slave nor enslave a freeman."

Hale, (Rep.,) of New Hampshire, then gave his views at length. Throughout the session, thus far, he had said but little on the great topic of the hour. His rather radical Anti-Slavery opinions gave him quite as much to the Abolitionists as to the Republicans, with whom he always was classed. His views, at the moment under consideration, therefore, commanded more than ordinary attention, particularly as the reflections of Mr. Douglas were understood to be aimed at him as one of the "extremists" conniving at disunion. In a characteristic and truly patriotic speech he declared for the Union, and to his argument brought such a fund of *practical* application as rendered it one of the most forcible expositions of the session. We can but indicate its points, however, in the following abstract.

He began by expressing surprise at Mr. Douglas' declarations, and the infer-

John P. Hale's Union
Speech.

ences he drew from his (Hale's) remark the other day, [see page 304,] at what was said by the Virginia Senator, (Mason.) The Virginia Senator said the people of Virginia were satisfied with the Constitution, and asked no concessions—showing that the people were *satisfied with the Constitution*—a sentiment he expressed delight, in hearty words, at hearing. Mr. Douglas evidently had misconstrued the spirit and intent of a remark prompted by a Union-loving heart.

Proceeding to a review of the matters at issue, Mr. Hale said he could not tell what was the great complaint, but did not believe in tinkering the Constitution, and did not think Congress could make a better instrument than the one drawn by our fathers. He was willing to take the Constitution *as it is*, and did not think the Clark resolutions of any avail but for the constitutional Union which followed. The best hopes of mankind are freighted in the ship of Union, and none but madmen will give up and try a new experiment. He had been told that New England was to be sloughed off any way. If the country could get along without New England, he would say, "God bless them." He

John P. Hale's Union
Speech.

paid an eloquent tribute to the enterprise and industry of New England. They might go to the cotton-fields of the South, and they would see that but for New England, cotton, which they called King, would now be a beggar. It was also said that the North-west was going off. Well, "good-bye," but give us back our jewels! Give us back the Senator from Illinois, (Douglas,) with his "great principle," for *he* belongs to us. If Ohio goes, give us back her "thundering orator," (Wade,) for *he* belongs to us, and her more than orator, the sage and patriot (Chase), that is to be our colleague! Not till men have lost all recollection, will the West leave New England. He said the Union would still remain, if this Cæsarean operation was performed. In answer to the remark that the North hated the South, he referred to the pestilence at Norfolk in 1855, when Northern people flocked to the assistance of the people there, and the North would do it again if they were called upon. He expressed his gratification that Virginia had initiated the calling of a Convention of the States. Himself and colleague had asked the Governor of New Hampshire to send Commissioners here, to meet with those of the other States. His peroration was as follows:—

"I am ready to concede everything that is consistent; and if 'concede' is not the word, give the term, and I will use it. I am willing to do everything that is consistent with my moral duty, and with a patriotic desire to serve my country, and serve it faithfully. But, I tell you, Senators, the difficulty does not lie there. Madness rules the hour. Reason is subverted. Passion is triumphant. What *do* we want, then? Time—time—that is all. We want its healing influences. We want to appeal to that sober-second thought of the *people* of this whole Union, which a distinguished statesman of other days said always was right. We want to wait for *that*—to let it come in and settle that which we, in this hour of passion, are not competent to do. If there are those among the States which cannot, or will not, be satisfied, *in God's name, let them go!* I tell you, Senators, the Union will be preserved, nevertheless. Its Stars and Stripes still shall float over valleys, over seas, over plains, and over the eternal mountaintops. True hearts will rally around it. It shall preserve the literature, the learning, the liberty, and the religion of the land. And when you, who have gone off, like the prodigal son, in the far coun-

try, filling your bellies with the husks which the swine did eat, turn, at last, to this Union, then, sir, and not until then, will we kill the fatted calf, and rejoice that the lost is found, and the dead alive again!"

Mr. Hale was followed by Wigfall, of Texas, whose disjointed speech and rude manner served to divert the Senate even when they outraged its dignity. On this occasion he was usually violent and coarse, assuming the *noli me tangere* air which the disunionists ever were wont to put on when about to be overcome by the force of argument. We can but give excerpts from the *Globe* report of his effort on this occasion. They will serve to "point a moral," if not to "adorn a tale."

"I am a plain, blunt-spoken man. I usually say precisely what I mean, and I always mean precisely what I say. I am for the Union and the Constitution of 1787, according to *my* understanding of it.

Wigfall's Disunion
Brilliances.

"It is said that we have the Government in our hands—that the Democratic party have it in their hands now. Yet the President does not stand upon its platform, for he denies flatly and unqualifiedly that the Constitution is a compact binding between *States*. If he ever read the Kentucky and Virginia resolutions, and understood them, I would say, if it were an indictable offence to-day, that he should be indicted for obtaining office under false pretences.

"I vote for no resolutions which do not first receive the sanction of the Republican party. I vote for no unmeaning paper which is to be left to the people to vote on. What, in the name of God, is it that the Crittenden resolutions propose? It is that the people of the United States, as a single political community, shall be allowed the privilege of voting upon the proposition as to whether they would like to vote, at some subsequent period, upon some propositions.

"It is only last night that I saw, in a leading Republican paper, what purported to be an extract from Mr. Lincoln's own writing, declaring that he was utterly and wholly opposed to any compromise. Under these circumstances, what is there to be gained with this tampering with the question? I will tell you. It was hoped that the South would be amused; that the action of the Secession party would be defeated; that Abraham Lincoln would be inaugurated; that the President of the United States would hold the forts and keep the arms and munitions of this Government; that, with a full Treasury, with a well-disciplined army, a well-manned navy,

Wigfall's Disunion
Brilliances.

Mr. Abraham Lincoln would be inaugurated President of these United States: *then* we were to

be told—"you must submit, or be overrun." But in the providence of God, the people took this thing into their own hands. South Carolina was the first to move. The Government *pledged itself* to non-action. It violated its pledge, lost its honor in saving one fort, while South Carolina lost one fort, but saved her honor. Understanding the party they were to deal with, the flag of truce having been soiled, the other States seized upon the forts and the arms within them, and were prepared, even before secession, to defend the right. So stands the thing now. What, then, is the use of getting up here and making speeches about 'the Union?' Does any Senator on the other side intend to save it, except by the bayonet? If so, let him tell us how.

"The Senator from Illinois (Douglas) has this morning again suggested his 'great principle,' (squatter sovereignty.) It is a specific for all things. I do not know whether or not he has a patent for it; but, really, Dr. Townsend's Sarsaparilla pales when it comes within the light of the 'great principle' of non-intervention. * * That 'great principle' disrupted the Democratic party; it has now disrupted the Union; and but for him and his 'great principle' this day a Democrat would have been President of the United States, and the Union saved.*

"It is only one species of property that is to have the ban put upon it. That species of property is the sort which we in the Southern States own—negro property. That is to be branded; that is to be tabooed; that is not to be protected; and we are asked, then, to be satisfied.

"We have been marched, with your Dominicans before and behind us, to the *auto-da-fé*. You have gone back and unburied the dead; you have put the 'Father of his Country,' as you call him, the immortal Washington, in a coffin painted with devils; and you have marched us, the living and the dead, before the civilized world thus branded, because of our institutions. These are facts. Washington has been denounced in the Northern States, from one end to the other, as a scoundrel, by your free-negro free-soilers.

* The reader should give due attention to this declaration. It explicitly states that *because* the Democratic (Breckinridge) ticket failed in the election, therefore, the Union was dissolved. Men sometimes tell too much truth. This appears to have been the trouble with Wigfall. He was always telling what the other revolutionists studiously refrained from confessing.

"We say that man has a right to property in man.* We say that our slaves are our *property*.

Wigfall's Disunion
Brilliances.

We say that it is the duty of every government to protect its property everywhere. * * For twenty years the slave-trade was kept open by the *Constitution*; and if that was not a clear recognition of the right to traffic in human flesh, and buy and sell men and women, then I would like to know what would be."

"If you wish to settle this matter, declare that slaves *are* property, and, like all other property, entitled to be protected in every quarter of the globe, on land and on sea. Say that to us, and then the difficulty is settled."

It will be scarcely credited that such monstrous doctrines were put forth, in good earnest, in the year 1861, on the floor of the United States Senate; but, it is a matter of record, and will find no contradiction in any word uttered by the disunionists, in our National Congress, during all that winter of earnest debate. It went forth as the Gospel of Disunion.

That no sentiment uttered by Wigfall was repudiated, or even qualified, by his confederate revolutionists, proves, if no other evidence were at hand, that the gigantic conspiracy was conceived and perfected by the Slave States, because the Northern numerical majority forbade the inhuman construction to be given to the Constitution demanded by Wigfall. If Toombs, Slidell, Davis, Yulee, Rust, Mason, and other master-conspirators, did not state the case as plainly as the Texas Senator, it was for the reason that they had less moral courage and more susceptibility to shame than he. Some future Paley, studying the mental and moral history of this era, will be constrained to invent a new theory of plausibilities to account for the phenomena presented in the case of these men—so brilliantly endowed in intellect, so shrewd, so worldly-wise, so cultivated in manners, yet so vicious, so selfish, so egotistic, and so thoroughly insensible to the blessed principles of the most blessed Golden Rule.

Mr. Douglas felt called upon to reply to the Texas Senator's rather rough reference to his principle of non-intervention. He defended

* The principle here enunciated, of property in man, was afterwards embodied in the organic law of the "Southern Confederacy." See Mr. Stephens' Exposition of the Southern Constitution, pages 30-31.

Douglas on Wigfall.

his "great principle" with much force, saying, that "all he ever had asked in

the matter was, that the Republicans, on their side, should give up their alleged right to interfere against Slavery, and that the extremists of the South should give up their claim to interfere for Slavery. Let the question alone, and there will be peace in this country." Referring to Wigfall's statement regarding the *Constitution* affording "protection" to property, he demolished the absurd assumption as follows:—

"The Senator had better read the *Constitution* again, and then let him tell me where he finds the power given to this Government to protect horses, or cattle, or merchandise, or slaves, or any species of property in any State or Territory of this Union. I propose no distinction between them; but I deny the right of this Federal Government to interfere with either of them. The *Constitution* gives *no power* to do so in the States; and let him show me a clause of the *Constitution* that gives greater power on domestic questions in the Territories than in the States."

He then proceeded to restate his arguments for the Union, premising that "he did not expect to convince that class of Union men who propose to destroy the Union in order to preserve it—to break it up in order to maintain it. He did not expect to convince those Northern Abolitionists who believe that the *Constitution* is a league with hell, and get them to meet us and save the Union. But he did hope that there was patriotism enough left in Senators from all sections to unite and put down these extremes and save the Union."

Wigfall made several interruptions, and, finally, again launched out quite at length, saying, among other things:

"I am really not one of those who have acted upon that principle, (*i. e.*, that the Union was to be saved.) Now, it is the merest balderdash—that is what it is—it is the most unmitigated fudge for any one to get up here and tell men who have sense, who have brains, that there is any prospect of two-thirds of this Congress passing any proposition as an amendment to the *Constitution*; that any man who is white, twenty-one years old, and whose hair is straight, living south of Mason's and Dixon's line, will be content with."

In the House, Mr. Adams, of Massachusetts, gave his views on the State of the Union and

the question of compromises. As a member of the Committee of Thirty-three,

Chas. Francis Adams' Exposition.

he had approved the various resolves adopted, and reported by Mr. Corwin, but had submitted a minority report, setting forth his reasons for finally refusing to endorse the majority report [see p. 214.] His speech was in vindication of his action, but as well in support of the settlement proposed by the Majority Report. It gave the generally accepted exposition of New England Republicanism—a few of its minor points only excepted. His exordium was as follows:

"In this hour of inexpressible import to the fate of unborn millions, I would that I could clear from my eyes the film of all human passions, to see truth and the right in their naked living reality, and with their aid to rise to the grandeur of the opportunity to do good to my fellow-men. There have been occasions when the fitting words, uttered in the true place, have helped to right the scale when wavering towards the ruin of a nation. At no time have they been more necessary than now—at no place more requisite than here. The most magnificent example of self-government known to history is in imminent danger of suffering an abrupt mutilation, by reason of the precipitate violence of a few desperate men. I purpose to discuss briefly, and I trust with proper calmness, the cause and the effect of this proceeding, as well as the duty that it entails upon us."

He then adverted to the peaceful state of the country prior to the 6th of November—(Presidential election day)—to the regular and constitutional nature of the election, and the character of the several candidates. The vote polled in the Southern States was given largely to the candidate specifically pledged to "the Union, the *Constitution*, and the enforcement of the laws"—Mr. Douglas; while the partisans of neither Democratic candidate ventured, before the people, even to whisper of disunion.* In the sudden uprising, he perceived how far-reaching was the influence of a single revolutionary idea. South Carolina,

* See Gilmer's declarations on the same point, page 286. The statement is corroborated also by the press of the South—not one of which, in advocating the election of Mr. Breckenridge, wrote the word *disunion* in connection with his name. It would have sealed his fate with ninety out of every hundred Southern voters.

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ripe for a change, of which she had dreamed for years, sought a pretext, found it in a list of grievances which she published to the world, arrayed herself in an attitude of resistance to the General Government, and drew after her other States, until the condition of the Republic filled all breasts with alarm. South Carolina was an aggressor, amenable to the utmost penalties for revolution. Not even a meagre minority of her citizens, appealed to the Union for help—she was rebellious to the heart. Mr. Adams said:—

"The case is otherwise with the other States. There is evident hesitation and reluctance in adopting the irrevocable policy of disunion. There is a lingering desire to receive assurances that this step is not absolutely needed. Now I, for one, am not ready yet to take the responsibility of absolutely closing the door to reconciliation. I cannot permit myself to forget the warnings that have descended to us from many of the wisest and best statesmen and patriots of all time against this rigid and haughty mode of treating great popular discontent. I cannot overlook the fact that in the days of our fathers the imperious spirit of Chatham did not feel itself sacrificing any of his proud dignity by proposing to listen to their grievances, and even to concede to every reasonable demand, long after they had placed themselves in armed resistance to all the power of Great Britain. Had George the Third listened to his words of wisdom, he might have saved the brightest jewel of his crown. He took the opposite course. He denied the existence of grievances; he rejected the olive branch; he insisted upon coercion. And what was the result? History records its verdict in favor of Chatham, and against his King."

The speaker then quoted from the plan of conciliation brought forward by the great Edmund Burke, to reconcile the king and the rebellious colonies. He also quoted a forcible passage from Lord Bacon, showing that the best cure for sedition was to take away the cause. He confessed that Bacon's philosophy impressed him deeply, and said:

"Such deep sagacity as this convinces me, if I ever doubted, that the way to peace, in times of disorder, is not always found in refusing to listen to complaints. I differ, then, with some of my rigid friends on this point. I prefer to consider grievances, were it but to be sure that they have no just foundation—much more if they prove to merit attention for their reasonableness. My notion of the duty

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of a public is to watch the growth of offences, and not to neglect, still less to despise, them. I have, therefore, faithfully labored, in my humble way, to comprehend the nature of the discontents actually prevailing, and to judge of the extent to which they justify the resort to so violent a mode of relief as the overthrow of a government. After a full hearing of all that has been said in Committee and elsewhere, I easily embrace the topics of complaint under three heads, to wit:

"*First:* The passage of laws in some of the Free States operating to discourage the recovery of fugitive slaves.

"*Second:* The denial of equal rights in the Territories.

"*Third:* The apprehension of such an increase of political power in the Free States as to tempt to an invasion, under new forms of the Constitution, of the right of the Slave States to manage their domestic affairs."

He then proceeded to consider these several causes of complaint. The first, he said, originated after the passage of the Fugitive Slave law. It sprung from no desire to nullify that law, but to protect *innocent* persons from illegal seizure and abduction. That law always seemed to him to have been made as offensive as possible, as if purposely to excite resistance on the part of the Free States. If the Personal Liberty laws overstepped the line so far as to appear to obstruct the reclamation of fugitive slaves, something may be pardoned to the spirit of liberty, justly wounded by the harsh and revolting features of the enactment. He said of these several laws:

"In a very large section of the Free States the former is inoperative, and always will be; and the reason is, that its harshness against innocent men runs counter to the sympathies of the people. It is no matter how many laws you make, the more cruel they are the less you will be likely to find them efficient. This is a law of human feeling, which every man made with a heart can readily comprehend. It is this which makes Personal Liberty laws of no use also. The fugitive is never recovered because people who think it cruel to return him send him forward, and not because he has any imagined protection in the statute-book. If, then, you hope to counteract this tendency, the right way to do it is not to increase, but to soften the severity of your law. Neither will it avail much to claim the repeal of Personal Liberty laws, which have never

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been of practical use to anybody, bond or free. This would only leave you where you were!"

The difficulty lay in the act itself—the act of reclamation. The South makes the mistake of using it too fiercely.

The speaker questioned if going out of the Union was calculated to strengthen the hands of the claimant for the person of his escaping bondman. Mr. Adams was willing to leave the question of modifying the offensive laws to the representatives of the Border States, which, alone, are the parties concerned.

In noticing the second ground of complaint, the gentleman put the entire subject at rest in the following forcible reminder:

"Who excludes the slave-holders with their slaves? Have they not obtained an opinion from the Supreme Court which will in effect override any and every report of Congress against them? They can, if they choose, now go wherever they like on the public domain. There is no majority in Congress itself to prevent their going, even if it had the power. Why do they not use that right? The reason is plain—it is not for their interest to go so far North. They will not leave the rich bottom-lands still open for the profitable cultivation of the cotton-plant in the South, to go to a comparatively arid region further off. The slave-owner follows his own interest in applying his labor in that way that will yield the best result. If he were compelled by law to remove to any part of the Territory from which he now complains that he is excluded, he would be apt to regard the decree as a greater outrage than any he now enumerates. The law of political economy regulates this matter much better than any specific statute. It guides this species of labor to the most suitable place, and that place is not the Territory of the United States. I understand the validity of this reasoning to be so far conceded that the aggrieved parties are willing to surrender all of it that lies north of the old compromise line to a perpetual prohibition of Slavery therefrom."

The country south of the line demanded embraced a portion of the Indian Reservation, Arizona and New Mexico. The first-named, being guaranteed to the Indian tribes from the Georgia grant, was forever reserved to their exclusive tenancy. Arizona was a most barren, and, agriculturally, unavailable strip of land, purchased solely by this Government, to give a right of way across the continent for the proposed Texas-Pacific Railway. A negro could not be made of any service, in

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its entire length, as a tiller of the soil. What were the facts regarding New Mex-

ico? She has an organic law extremely pro-Slavery in its character. For ten years she had had her arms open to welcome slaves—has encouraged emigration to the extent of offering every possible advantage to the slave-owner and dealer, and with what result? Mr. Adams answered:

"New Mexico has now twenty-two slaves on a surface of over two hundred thousand square miles of her extent, and of these only twelve are domiciled; the remainder are but transient residents. New Mexico shows, then, at this moment, all that ten years of protection of slavery has made her. She has a slave code and twelve slaves; and yet you want more protection, and you threaten a dissolution of the Union if you do not get it—forgetting, I apprehend, that if you execute your threat, instead of getting more, you may lose all that you have already obtained. If New Mexico has gained only one slave a year during all the time you have had to put them there, it is scarcely likely that the number will increase after your protecting care shall have been totally withdrawn. I think it needs no further argument to show that the question whether this shall or shall not be slave territory, is like that alluded to by the Roman poet, '*de lana caprina*;' or, in other words, of getting wool out of a goat. I say, then, in answer to the demand of a constitutional guarantee of protection to Slavery in New Mexico, that you are asking for what in substance you enjoy already, and what is good for nothing to you if you get it."

His proposition to admit New Mexico as a State would, he said, put the question at rest forever. "The people of the Territory," he added, "already have the right to hold slaves granted to them on the statute-book—of determining the question for themselves. You have on your side possession, which they say makes nine points of the law; we have on ours the aridity of the surface unfavorable to all forms of agricultural labor, and therefore unpropitious to Slavery. Let us abide by that result now, which is sure to come, sooner or later. I, for one, am free to say, I do not fear it." He did not wish, however, to enter the proposition except the South would agree to accept it as a settlement, saying:

"I confess I should be very unwilling to enter into the proposition unless we can all agree to regard it as putting to rest forever a troublesome cause of dissension. I have no desire to vote for it if it be

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not acceptable to the other side. But even if they should reject it, I think the offer ought at least to extinguish every future complaint about the exclusion of slaveholders from the Territories, and every pretence that the refusal to grant protection is good cause for their present violent course."

[The scheme here broached, it would appear, so fully met the conspirators' *causa sine quâ non*, that some additional subterfuge was necessary, in order to keep their case in court. Hence, they sprung the requisition for "protection in territory that *may hereafter be acquired*"—demanded legislation over soil not yet ours! It only showed the broad nature of their designs. "Protection" in New Mexico was but a mere covering clause, which contemplated a slave kingdom to be "acquired" from poor Mexico. The reticence of the leaders in regard to their *ultimate* purposes scarcely served to conceal their programme, for, in the very demand made, of "protection" for slavery in soil not yet our own, they exposed to the world whither their desires and purposes led.] Mr. Adams thus gave his construction of this most extraordinary demand:

"I confess it appeared to be somewhat singular that the attempts at conciliation should cease just at this point, and that we should be driven to a final separation of the States because we did not like to declare in the Constitution that we meditated at any and all times an encroachment upon foreign States, and that to that end we were making a preliminary rule of arrangements about their institutions, without the smallest regard to the disposition or convenience of those who may be citizens at the time. In my simplicity, I had imagined it was a fundamental principle of all negotiations to let the people of other countries speak for themselves in regard to their own affairs. I had supposed they might have a word to say about so material a question as the introduction of Slavery. All these considerations appear to have been overlooked, and we are told that the Union must be dissolved if we refuse to put in the Constitution a pledge that we will protect Slavery in the States of Sonora, or Coahuila, or Chihuahua, or New Leon—when we get them! In order to comprehend how this proceeding will look to strangers, let me suppose that the British Parliament were to entertain the question, what sort of organic law they should enact respecting the labor to be employed in the gold region of America south of the forty-ninth parallel, hereafter to be acquired? Should not we regard it as a pretty comical sort of presumption?

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But if we should be further informed that Scotland had become fixed in its determination to break up the Union, because Great Britain declined to consider this subject, what would then be our amazement? Yet I see little difference between this picture and that which we present ourselves when we fall to quarreling about the way we shall dispose of our neighbors' property at a time when there is no particular prospect of our getting it at all. Have not we got difficult problems enough to solve within our present enormous geographical limits, to save us the necessity of puzzling our brains with others that are without? I can scarce suppress a smile at this idea of 'Territory hereafter to be acquired,' even amid all the painful realities of the immediate struggle. Is it not, I ask you, Mr. Speaker, an abstraction more extraordinary than all the rest?"

[If anything were wanting to prove that a spirit of cupidity governed the movement, we have most conclusive evidence in this subtly-contrived scheme of "protection," and consequent overriding of the wishes of the people in all States "to be acquired." The next natural and inevitable steps would, of course, be to "acquire" the Territory; for the South, to remain in the Union as "an equal," *must* have the representation in Congress of several more Slave States: to provide which, this most rascally and unusual edict was to be obtained as a *sine quâ non* of the South remaining in the Union.

Ah! when the *people*, North and South, come to read the record with dispassionate minds—when they are informed of the truly magnificent duplicity of the Southern leaders in their demands for slave "protection" in the unsettled Territories of the United States, and in the still unacquired domain of Mexico—they will scarcely cease to wonder at their own weakness in so long striving to adjust *that* question to the satisfaction of the few oligarchs who concocted the disunion movement!]

Mr. Adams viewed the third cause of complaint in the thorough and dispassionate manner which characterized his examination of the previous points. The simple *impossibility* of the Free States ever obtaining the two-thirds majority—requiring *twenty-seven* ADDITIONAL Free States—puts the question forever at rest, even if the Slave States never obtained any further representation;

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but, when they carve out of the vast area of Texas five States, and out of New Mexico three, with the prospect of "acquiring" the adjoining Mexican States of Sonora, Chihuahua, Coahuila, New Leon, and Old California, the assumption contained in the third clause of complaint, it became conclusive, was put forward to arouse hateful passions and feelings by imaginary causes, though for apparent purposes.

The speaker then reviewed the questions at issue in their entirety. His statement gives the correct presentation of the subject, so far as we may judge after having carefully and critically canvassed the whole ground covered by the debates in Congress, and by the State papers put forth by the Seceding States. Though but a comparatively brief period has elapsed since their utterance, so rapidly do events work out results in Republican Governments, that the historian finds the ultimate in the secession argument already awaiting his record. We find the view taken by the Massachusetts member to be corroborated by the proceedings which followed, and may, therefore, reproduce his statements, as embodying the relation from which to form a correct opinion as to the justice or injustice of the rebellion.

"Why, then, is it that harmony is not restored? The answer is, that you are not satisfied with this settlement, however complete. You must have some guarantees in the Constitution; you must make the protection and extension of Slavery in the Territories now existing, 'and hereafter to be acquired' a cardinal doctrine of our great charter. Without that, you are determined to dissolve the Union. How stands the case, then? We offer to settle the question finally, in all of the present territory that you claim, by giving you every chance of establishing Slavery that you have any right to require of us. You decline to take the offer, because you fear it will do you no good. Slavery will not go there. But if that be true, what is the use of asking for the protection anyhow, much less in the Constitution? Why require protection where you will have nothing to protect? All you appear to desire it for is New Mexico. Nothing else is left. You will not accept New Mexico, because ten years of experience has proved to you that protection has been of no use thus far. But if so, how can you expect that it will be of much more use hereafter, and to make it worth dissolving the Union about? But if we pass

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to the other condition is it any, more reasonable? Are we going to fight because we cannot agree upon the mode of disposing of our neighbors' lands? Are we to break up the Union of these States, cemented by so many years of common sufferings, and resplendent with so many years of common glory, because it is insisted that we should incorporate into what we now regard as the charter of our freedom a proclamation to the civilized world that we intend to grasp the territory of other nations wherever we can do it, for the purpose of putting into it certain institutions which some of us disapprove, and that, too, whether the people inhabiting that territory themselves approve of it or not?

"I am almost inclined to believe that they who first did it must have done so for the sake of presenting a condition which they knew beforehand must be rejected, or which, if accepted, must humiliate us in the dust forever. In point of fact, this proposal covers no question of immediate moment which may not be settled by another and less obnoxious one. Why is it, then, persevered in and the other rejected? The reason is obvious—you want the Union dissolved. You want to make it impossible for honorable men to become reconciled. If it be indeed so, then on you, and you alone, shall rest the responsibility of what may follow. If the Union be broken up, the reason why it happened shall remain on record forever. It was because you rejected one form of settling a question, which might be offered and accepted, with honor, in order to insist upon another, which you knew we could not accept without disgrace. I answer for myself only when I say, that if the alternative of the salvation of the Union be only that the people of the United States shall, before the Christian nations of the earth, plant in broad letters upon the print of their charter of Republican Government the dogma of slave propagandism over the remainder of the countries of the world, I will not consent to brand myself with what I deem such disgrace, let the consequences be what they may."

Mr. Adams, considering the dangers threatening, did not regard coercion for simple secession as wise or necessary. He thought the twenty remaining States, with new States soon to be added, quite enough to perpetuate the government and to secure its great ascendancy. But, the case was changed if acts of violence towards the Federal Government compelled it, in self-defence, to take up arms. He said:

"If there be violent and wanton attacks upon the persons or the property of the citizens of the United

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States, or of their Government,
I see not how demands for im-
mediate redress can be avoided.

If any interruptions should be attempted of the regular channels of trade in the great water-courses, or in the ocean, they cannot long be permitted; and if any considerable minorities of citizens should be persecuted or proscribed on account of their attachment to the Union, and should call for protection, I cannot deny the obligation of this Government to afford it. There are many persons in many of the States whose patriotic declarations and honorable pledges of support of the Union may bring down upon them more than the ill-will of their infatuated fellow-citizens. It would be impossible for the people of the United States to look upon any proscription of them with indifference."

This chapter presents such an exposition of the entire question of secession, that a person far-removed from society, having no information of the events of the year, would be able to obtain a correct knowledge of the relative position of the contestants, and to form a correct opinion on the merits of the case at the date under consideration, February 1st. The *status* of the issue was not changed by succeeding events. Though the revolution went on, accelerating in strength and force to the final issue of a direct assault upon the Federal Government, and a march upon its Capi-

tal, no additional arguments or circumstances added to the strength of the cause of the revolutionists. The steps taken by them were simply legitimate results of their attitude of defiance, and were clearly foreseen by the leaders, who hastened to inaugurate the Montgomery Government over the heads of the Southern people, in order to meet the crisis they had precipitated. The formation of that consolidated Government—the assault upon Fort Sumter—the precipitation of Virginia, into the revolt—the march upon Washington—were but parts of a conspiracy, having for its purpose the annihilation of the old Constitution and the installment of the new one, wherein the principle of property in man should become, in the words of its most conservative expounder, "the chief corner-stone of the new edifice." Had they succeeded in their designs, Tyranny would have rejoiced, for the "great experiment" would have proven a failure. It is to be written not only in the cause of America, but in the cause of Human Progress, that they failed. That the Capitol dome is not surmounted by a Slave, with manacled hands uplifted to Heaven, is due to the integrity of the Loyal Men of '61.

CHAPTER XXII.

THE GEORGIA BILL OF RIGHTS. SEIZURE OF GEORGIA ARMS IN NEW YORK. REPRISALS BY GOVERNOR BROWN. NORTHERN CUPIDITY. DISTRESSING MONETARY CONDITION OF THE SOUTH. OUTRAGES COMMITTED ON NORTHERN PERSONS AND PROPERTY. A DARK RECORD.

THE near approach of the Montgomery Convention of Delegates, to form a Central Government, rendered the action of the seceded States, after their secession, of subordinate importance. Among minor matters may be mentioned the Georgia Bill of Rights, introduced to that State's Convention evidently as its "instructions" to its delegates to the Montgomery Convention. It read as follows:

"The fundamental principles of the Government cannot be too well understood, or too often recalled to; hence we declare this Bill of Rights.

The Georgia Bill of Rights.

"All Government derives its authority from the consent of the governed, who may modify, alter, or annul the same, whenever their safety or happiness requires it. No Government should be changed for slight or transient causes, nor unless upon reasonable assurance that a better will be established.

The Georgia Bill of Rights.

"Protection to person and property is the consideration of allegiance, and a Government which knowingly and persistently denies or withholds such protection from the governed, releases them from the obligation of obedience.

"No citizen shall be deprived of life, liberty, or property, except by due process of law; and of life or liberty only by the judgment of his peers.

"The writ of habeas corpus shall not be suspended, unless when, in case of rebellion or invasion, the public safety may require it.

"A well-regulated militia being necessary to the security of a Free State, the right of the people to keep and bear arms shall not be infringed.

"The prevalence of the Christian religion among the people, and the basis of Christian principles underlying the laws, entitle this State to be ranked among the Christian nations of the earth, and these principles are independent of all political organization; no religious test shall ever be required for the tenure of any office, and no religious establishment allowed, and no citizen shall be deprived of any right or privilege by reason of his religious belief.

"Freedom of thought and opinion, freedom of speech and freedom of the press are inherent elements of political liberty. But while every citizen may freely speak, write, and print on any subject, he shall be responsible for the abuse of the liberty.

"The rights of the people to appeal to the courts, to petition Government on all matters of legitimate cognizance, and peaceably to assemble for the consideration of any matter of public concern, can never be impaired.

"For every right there should be provided a remedy, and every citizen ought to obtain justice without purchase, without denial, and without delay, conformably to the laws of the land.

"Every person charged with an offence against the laws of the State shall have—

"1. The privilege and benefit of counsel;

"2. Shall be furnished, on demand, with a copy of the accusation and a list of the witnesses against him;

"3. Shall have the compulsory process of the Court to obtain the attendance of his own witnesses;

"4. Shall be confronted with the witnesses testifying against him; and,

"5. Shall have a public and speedy trial by an impartial jury.

"No person shall be put in jeopardy of life or liberty more than once for the same offence.

"No conviction shall work corruption of blood or general forfeiture of estate.

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

"The power of the Courts to punish for contempts should always be limited by legislative acts.

The Georgia Bill of Rights.

"A faithful, honest, and fearless execution of the laws is essential to good order, and good order in society is essential to true liberty.

"Legislative acts in violation of the fundamental law are void, and the Judiciary shall so declare them.

"*Ex post facto* laws, or laws impairing the obligation of contracts, or retroactive legislation, affecting the rights of the citizen, are prohibited.

"Laws should have a general operation; and no general law be varied in a particular case by special legislation, except upon notice to all persons to be affected thereby.

"The right of taxation can be granted only by the people, and should be exercised by their agents in government only for the legitimate purposes of government.

"In cases of necessity, private ways may be granted, upon just compensation being first paid; and, with this exception, private property shall not be taken except for public use, and then only upon just compensation. Such compensation, except in cases of pressing necessity, should be first provided and paid.

"The rights of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place or places to be searched, and the persons or things to be seized.

"Extreme necessity only should justify the declaration of martial law.

"Large standing armies in times of peace are dangerous to liberty.

"No soldiers shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner prescribed by law.

"Titles of nobility are inconsistent with republican equality; and civil honors should come by merit, and not by inheritance.

"All powers not delegated to the Government expressly, or by necessary implication, are reserved to the people of the State; and, in all doubtful cases, the denial of the grant is the ground safest for the liberty of the people.

"The enumeration of rights herein contained shall not be construed to deny to the people any inherent right which they have hitherto enjoyed."

The seizure of arms, in New York, supposed to belong to the State of Georgia, at

The Seizure of Arms
in New York.

one time greatly excited the public mind. The counter-seizure, by Governor Brown, of Northern vessels in the harbor of Savannah, was a retaliation which so immediately affected the commercial community of the great metropolis that a great storm of words followed the several acts.

The facts of the case may thus be cited: On the 23d of January, drays containing muskets were observed unloading at the Savannah pier. The long boxes were immediately run on board the Savannah steamer, then in New York, ready to sail. The fact that immense quantities of arms, purchased of Northern importers and manufacturers, were going South by the Charleston and Savannah routes, as well as by the Adams' Express, had become well known to the authorities, and the Police Superintendent resolved, after consultation with the Police Commissioners, to stop the shipments, if possible, by retention. Being informed, on the day named, of the large invoice going on board the steamer, he ordered a seizure. The officers took 38 cases, containing 670 muskets, which were conveyed to the Armory. This fact was immediately telegraphed to the Georgia authorities, when the following telegrams passed over the wires:

"MILLEDGEVILLE, Jan. 24, 1861.

"To his Honor, Mayor Wood:

"Is it true that arms intended for and consigned to the State of Georgia have been seized by public authorities in New York? Your answer is important to us and to New York. Answer at once.

"R. TOOMBS."

Mayor Wood returned the following characteristic reply:

"Hon. Robert Toombs, Milledgeville, Ga.:

"In reply to your dispatch, I regret to say that arms intended for and consigned to the State of Georgia have been seized by the police of this State, but that the City of New York should in no way be made responsible for the outrage. As Mayor, I have no authority over the police. If I had the power, I should summarily punish the authors of this illegal and unjustifiable seizure of private property.

"FERNANDO WOOD,

"Mayor."

A dispatch to the agents of the steamer read:

"SAVANNAH, January 24th, 1861.

"To Cromwell & Co.:

"The seizure of the arms from the 'Monticello' causes excitement here. Can you get them back? We fear retaliation."

Twenty-eight of the cases were consigned to parties in Montgomery, Alabama, and contained 560 Minie rifles; ten cases were consigned to private individuals in Georgia.

Demands were immediately made, by parties interested, for a release of the arms; but the Superintendent refused to make the return, except to the Sheriff, or by regular legal process. A writ was thereupon served, upon which the twenty-eight cases were delivered to the Deputy-Sheriff. No process was served for the ten cases, and they remained, accordingly, in the Superintendent's possession.

Thus matters stood until February 9th, when a telegram announced the seizure, at Savannah, by order of Governor Brown, of the following Northern vessels: Barks, *Adjuster*, *Murray*, *Kibby*; brig, *Golden Seas*; schooner, *Julia A. Hallock*—all of which were taken as reprisals for the seized guns. The Governor—as in almost every instance of overt acts against the General Government by States and Conventions—"assumed the responsibility," acting without any authority whatever. January 7th, in his message to the Georgia Legislature, he had asked that certain powers of seizure be granted to him. He said:

"Let us meet unjust aggression and unconstitutional State legislation with just retaliation. To this end, I recommend the enactment of a law authorizing the Governor of this State, in case any citizen of this State shall in future be deprived of his slaves or other property, under the operation of the aggressive legislation of Massachusetts, to which I have referred, or of like legislation of any other State, or by neglect of any such State to fulfil her constitutional obligations to Georgia or her citizens, by delivering up to the owner, on demand, his slave which may have escaped into such State, to call out such military force as he may deem necessary for the purpose, and to seize such amount of the money or property of any citizen of such offending and faithless State, which may be found within the limits of this State, as may be amply sufficient fully to indemnify such citizen of this State, who may have

been robbed of his property by the failure of such faithless State to discharge its constitutional obligations, and forthwith to notify the Governor of such State of the seizure. In case the Governor of such State shall fail, within thirty days from the time he receives such notice, to cause the property of our own citizen to be returned to him, or its full value paid to him, that it shall then be the duty of the Governor of this State to deliver such quantity of the property so seized to the injured citizen of this State as may be sufficient fully to indemnify him against all damages sustained by him."

Governor Brown's
Orders.

The Legislature, however, refused to grant the required authority, and the Governor acted without it. The Governor's order for the act of reprisal was as follows:

"EXECUTIVE DEPARTMENT, MILLEDGEVILLE, }
February 5, 1861. }

"Colonel H. R. Jackson, A. D. C.:

"SIR: I have demanded of the Governor of New York the prompt delivery to my agent, for D. C. Hodgkins & Sons, citizens of this State, of their guns, seized by the police of New York on board the *Monticello*, and deposited in the arsenal of that State. The demand has been delivered to him; he has had a reasonable time, and has made no reply. I am determined to protect the persons and property of the citizens of this State against all such lawless violence, at all hazards. In doing so, I will, if necessary, meet force by force. I feel it my duty in this case to order reprisals. You will, therefore, direct Colonel Lawton to order out sufficient military force, and seize and hold, subject to my order, every ship now in the harbor of Savannah belonging to citizens of the State of New York.

"When the property of which our citizens have been robbed is returned to them, the ships will be delivered to the citizens of New York who own them.

"I am, sir, your obedient servant,
"JOSEPH E. BROWN."

This act of open assault on the property of loyal citizens of course created much excitement in political as well as commercial circles, since it gave the Federal Administration a just *casus belli*. Southern leaders were alarmed at the catastrophe which it threatened. As indicative of the course to be pursued, a dispatch from Washington announced, (Feb. 9th:)

"By reason of the receipt of information to-day of the seizure of New York ships at Savannah, together with the recent action of the New Orleans Custom-house, in obstructing the interior com-

merce, in effect levying tribute, and the declaration of the Montgomery Congress in opening the Southern ports free to foreign commerce, John Cochrane, of New York, will call up on Monday, and press to a passage, the bill heretofore introduced by him, [see page 305.] providing for the thorough execution of the Federal Revenue laws, and for the protection of the commercial interests of the nation against flagitious attacks upon them by the Seceded States."

The pressure brought to bear on Governor Brown, both from Montgomery and Washington, by the directing conspirators, induced an early release of the vessels. February 8th they were discharged from his Executive keeping, upon being informed, as he said, that the arms were restored, and "the honor of Georgia vindicated." But the fact was, the arms consigned to private parties in Alabama were delivered over to the Sheriff, Feb. 7th, as stated, while the Police held possession of the ten cases belonging to Georgia citizens for some days *after* the release of the vessels, and were finally released only upon proof of their being private property of citizens who could not be *proven* disloyal. A second reprisal was made by Gov. Brown, which will be referred to hereafter.

This seizure, and the excitement which grew out of it, called public attention to the fact that Northern manufacturers and dealers had heavy orders from all of the Southern States for arms of all kinds. States did not order direct.

Northern Cupidity
versus
Patriotism.

but accomplished their purpose through individuals; and thus, under the guise of "private property," swords, sabres, pistols, rifles, muskets, ammunition, military goods, and, in some instances, even field-pieces and heavy ordnance, all passed, in a steady stream, from the North to the South. The gold which should have been paid on debts over-due manufacturers and merchants in Northern cities, was used to purchase arms with which to resist the collection of those debts; and the cupidity of the manufacturers of, and dealers in, arms was such that, though they well knew the purposes of the great orders, a chronic love of money forbade them to say "nay" even to avowed traitors. These purchases, and the rich store providently placed, by Floyd, in the Southern arsenals for

seizure, gave the different States arms enough to equip several divisions each for immediate service. Had it not been for these sales by Northern men, during December, January, February and March, and the filling up of the Southern arsenals, during the summer of 1860, the rebellion would have been almost powerless for want of arms.

Sad Condition of
Monetary Affairs.

The condition of monetary affairs throughout all the Seceded States grew daily more oppressive, as the winter advanced. Money became of extreme scarcity. The general suspension of specie payment by Southern banks had not given any perceptible relief to the community. Property so rapidly depreciated as to have no longer any fixed value. Real estate in Charleston, New Orleans, Savannah, &c., commanded no sale, at any price; while the inexorable tax levies daily aggregated in their demands until the prospect of oppression as well as of ruin stared property-holders in the face. The two hundred millions due to the North was, by the acts of secession and the general suspension of Federal Courts, as well as by "stay laws" passed by most of the "original seven," placed upon the *retired list*—"to be paid when amicable relations with the North should be restored." Yet, this enormous virtual repudiation scarcely affected the masses—it only gave immunity from pressure to the commercial class; but, even merchants, with stores stuffed by Northern goods, for which only Southern promises-to-pay were given, could find no sale for their stocks except by extending credits, which, in turn, filled their hands with promises-to-pay, liable to be assessed as so much taxable property, upon which assessments must be paid in coin. Slaves, in common with other property, depreciated; and, in all districts they were regarded as a source of weakness rather than of strength in event of a state of war. Several millions of bondmen, ignorant to a degree almost bordering on barbarism, but with native instincts which rendered them a shrewd and persevering race, were not calculated to inspire their masters with a feeling of security; hence, we find alarms of insurrections greatly exciting the States of Alabama and Georgia, during the winter. In the former State a

conspiracy was said to have been discovered just previous to the holidays, which caused apprehension for a while, and only ended by the hanging of several negroes, by a self-constituted court, and the most terrible punishment of flogging administered to others of the blacks supposed to be implicated. The various communities in the Cotton States were *qui vive* in regard to the negroes; and the extraordinary precautions taken by planters, by committees of safety, and by the minute-men organizations, prove that, practically, the Southern people regarded their human "property" in any other light than as cattle and horses.*

The excitement against Northern men became so great, that, when the secession movement took the shape of certainty in its accomplishment, persecutions were so generally inflicted as to cause a perfect hegira of Northern mechanics and agents, as well as of those entertaining Union sentiments. Almost every steamer from Charleston, Savannah, and New Orleans, during the months of February, March, April, and May, brought numbers of persons of Northern birth, fleeing from the South for their lives. In some instances great amounts of property were left behind—the "Committee of Safety" allowing no time for a man to close his affairs prior to leaving. The summons to leave generally stipulated twenty-four hours as the required time in which to escape from threatened "consequences." The history of some of these cases is peculiarly revolting, and excites in the mind a feeling of incredulity that

Outrages perpetrated
on Northern Men.

* It is denied, in some quarters, that the negroes are a source of weakness. Under military and civil pressure they may be regarded as docile and tractable; but, the presence of an *overawing* power is considered, by the Southerners themselves, as their only safety. The history of the Denmark Vesey insurrection in South Carolina—of the Nat. Turner insurrection in Southampton County, Virginia—prove that in the black breasts of the negroes there is a slumbering fire which no power on earth may quench. The Charleston papers said their slaves would do the food-raising, the intrenching, &c., while the young men of the South would do the fighting; but, it is to be doubted if any community in the South, during 1861, was left without its available guard against uprisings.

such wrongs could have been perpetrated in any civilized community. The case stated on page 134 was almost daily confirmed, during the months named, by the story of the wrongs of some wretched sufferer, at the hands of a self-constituted "committee" in the revolutionary sections. Southern papers occasionally would chronicle these outrages, and would not fail, in all cases, to affix the stigma of "abolitionist" to the persecuted party as a full and only justification for the violence perpetrated "by a body of our citizens." In

several instances, when the victim was hanged, the papers recorded the event in a humorous strain. We shall recur to this feature of the revolution in a future chapter, giving such accredited statements as will place the fact and nature of these outrages beyond all controversy. They will cast a shadow across even the darkness of the dark record of the revolution, and will serve to give both the Christian philanthropist and the politician suggestive mile-stones by which to direct their future steps.

CHAPTER XXIII.

CONGRESS OF THE SECEDED STATES. NAMES OF DELEGATES. NORTH CAROLINA COMMISSIONERS. HOWELL COBB'S SPEECH FROM THE CHAIR. CONSTITUTION ADOPTED. ITS SPECIAL CLAUSES. ELECTION OF PRESIDENT AND VICE-PRESIDENT. MR. STEPHENS' SPEECHES. PROCEEDINGS UP TO FEBRUARY 16TH.

Extraordinary Character of the Congress.

THE Montgomery Convention of Delegates assembled Monday, February 4th. The plans and policy of the Convention appear to have been quite generally understood by the people to be—a reconstruction of the Union of Slave States upon the basis of the Federal Constitution.* This understanding, indeed, made the people tolerant of the open-handed usurpation practiced

towards them by their respective Conventions. This Montgomery Convention

Extraordinary Character of the Congress.

was composed of delegates elected by the several State Conventions. How they were composed the reader has already been informed, [see p. 203-4.] It thus represented an organized revolution, solely—one which, in *all* cases, refused to allow the people to decide for themselves, [see Yancey's speech, page 205,

* Thus, the Memphis (Tenn.) *Inquirer* used the following language, to induce the Tennessee people to join in the movement for a Southern Confederacy:

"It is well known beforehand that the Constitution, as it is, will be readopted, and such explanations of contested sections of that instrument added as amendments, as to leave not the shadow of a doubt concerning their effect on the Southern social system. That is, it will be the same as though the Constitution of the United States were taken up and amended, at the discretion of Southern statesmen, so far as it affects Southern rights, all without the opposition or interruption of Northern members. It

will not be touched at present, any further than to be rendered perfectly unambiguous as to the domestic institutions of the South. Has anybody in the South any objection to this? The very crisis that now weighs like lead on every man's mind has arisen from a diversity in the interpretation of certain clauses in the Constitution; or, which is the same thing, the fanaticism of the North has been wheedled into the idea that its sectional character is, at least, not adverse to the Constitution itself. It will now at once be seen that the Constitution of the United States, thus explained and amended, would still authorize the reception of States, just as it has always done; and should Tennessee secede, she

Extraordinary Character of the Congress.

for the justification of this tyrannical usurpation.]

Convening to organize a government, these forty-two delegates proceeded to their work with all the authority of umpires from whom there was no appeal. They were to adopt articles of confederation, a Constitution, organize departments, elect a President and Vice-President, confirm cabinet and ministerial appointments—in fact, to place a fully-developed and powerful government in operation over the people. There is no parallel for such usurpation, under the guise of freedom, on the whole page of history. The people had nothing to do in the organization of the government—no voice in the election of its officers—no option or judgment to exercise in the matter. They were as thoroughly ignored as if no power rested in them. A *self-elected* assembly gave them the law, gave them rulers, gave them inter-State obligations, voted war for them, imposed taxes, appropriated their property, impressed them to serve in the ranks; and, so cleverly was the entire scheme managed that, notwithstanding all this glaring outrage of the first principles of a republican government, the people were led as obediently into the movement as their own slaves would have been led into the shambles.

The Convention was organized February 4th, when the following delegates presented their credentials and signed the roll:

would of course have no objection to the acknowledgment of the Constitution, made secure against any misunderstanding, which is held by some to justify, if it does not originate, the divisions now rife in the country. Any other State or States which might be willing to accept the Constitution thus amended in a Southern Convention, could of course be fairly received. It may be recollected that Mississippi refused, by a vote of sixty-seven to twenty-three, to say that she would never receive any Free States into a Southern Confederacy. The Southern Rights advocates have no objection to secure exact equality under their Constitution. And to a reconstruction, on this basis, they are not opposed, so far as we know. Many a man, it is true, may doubt whether this can ever be done; but certainly no one has any objection to it if it can be done. And the way to test whether it is practicable, is to make the trial, as the Montgomery Convention will proceed directly to give an opportunity."

Alabama—R. W. Walker, R.

H. Smith, J. L. M. Curry, W.

P. Chilton, S. F. Hale, Colon

J. McRae, John Gill Shorter, David P. Lewis, Thomas Fearn.

Florida—James B. Owens, J. Patton Anderson. (Jackson Morton was not present.)

Georgia—Robert Toombs, Howell Cobb, F. S. Bartow, M. J. Crawford, E. A. Nisbet, B. H. Hill, A. R. Wright, Thomas R. R. Cobb, A. H. Kenan, A. H. Stephens.

Louisiana—John Perkins, Jr., A. Declonet, Charles M. Conrad, D. F. Kenner, G. E. Sparrow, Henry Marshall.

Mississippi—W. P. Harris, Walter Brooke, N. S. Wilson, A. M. Clayton, W. S. Barry, J. T. Harrison.

South Carolina—R. B. Rhett, Sr., R. W. Barnwell, L. M. Keitt, James Chesnut, Jr., C. G. Memminger, Porcher Miles, Thomas J. Withers, W. W. Boyce.*

Mr. Rhett, of South Carolina, then suggested the election of a President of the Convention, saying:—"On the part of the deputies from South Carolina, I present the name of a gentleman for that office who has been illustrious on the arena of the General Government—whose name is coextensive with the length and breadth of this whole country—I nominate the Hon. Howell Cobb, of Georgia, for President of this Convention. [Applause.] I am sure that his election will be unanimous. I therefore propose that he be declared President by acclamation." And the motion prevailed. Mr. Cobb assumed the chair, to pronounce from it the following address:

"Accept, gentlemen of the Convention, my sincere thanks for the honor which you have conferred on me. I shall endeavor, by a faithful and impartial discharge of the duties of the Chair, to merit, in some degree, at least, the confidence which you have reposed in me. The occasion which assembles us together is one of no ordinary character. We meet as the representatives of sovereign and independent States, who by their solemn judgment have dissolved all the political associations which connected them with the Government of the United States. Of the causes which have led to this decision it is unnecessary now to speak: it is enough to announce that,

* Texas seceded February 1st, and appointed delegates to the Montgomery Convention February 11th, notwithstanding her Ordinance of Secession was not to be considered as binding until February 23d, when the people were to be permitted to vote on it! This is only another instance in the category of usurpations.

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by the judgment of our constituents, they have been ample and sufficient. It is now a fact—irrevocable fact—the separation is perfect, complete, and perpetual. [Applause.] The great duty is now imposed on us to provide for these States a Government for their future security and protection. We can and should extend to our sister States—who are identified with us in interest, feeling, and institutions—a cordial invitation to unite with us in a common destiny; desirous, at the same time, of maintaining with the rest of our late confederates, as with the world, the most peaceful and friendly relations, both political and commercial. Our responsibilities, gentlemen, are great, and I doubt not we shall prove equal to the occasion. Let us assume all the responsibility which may be necessary for the successful completion of the great work committed to our trust, placing before our countrymen and the world our acts and their results as the justification of the course which we may pursue and adopt. With a consciousness of the justice of our cause, and with a confidence in the guidance and blessings of a kind Providence, we will this day inaugurate for the South a new era of peace, security and prosperity."

The proceedings of the Convention were done in *secret session*, and so little transpired that we are but partially informed in regard to its daily legislation. The State Conventions had sat in secret sessions, and the people were aware of the *results* of their proceedings only when the edicts were promulgated. This was found to work so favorably that the rule was adopted at Montgomery—to cover all important legislation.

February 5th, Memminger, of South Carolina, presented the following resolutions:

"*Resolved*, That this Convention deem it expedient forthwith to form a Confederacy of the States which have seceded from the Federal Union, and that a Committee be appointed to report a plan for a Provisional Government upon the basis of the Constitution of the United States.

"*Resolved*, That a Committee of thirteen members be appointed as follows: namely, the Chairman by the Convention, and two members from each State to be nominated by the deputies of that State.

"*Resolved*, That all propositions in reference to a Provisional Government be referred to this Committee."

Stephens, of Georgia, moved to substitute the word "Congress" for "Convention"—to which Mr. M. agreed. A substitute for the resolutions was offered by Bartow, of Georgia, namely:

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"*Whereas*, The States of South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana have dissevered the political ties which bound them to a compact known as the United States of America, and, through duly authorized delegates, are now assembled in Congress to provide measures for the welfare of those States, and to establish an enduring government, whereby their rights may be maintained; and whereas, it is important that a Provisional Government shall be formed before a permanent one can be constructed: therefore,

"*Resolved*, That the President appoint a Committee of one from each State, to report a plan for a Provisional Government as soon as possible."

They were considered in secret session.

February 6th, the North Carolina Commissioners presented their credentials in the shape of the following resolutions, passed by their General Assembly, January 29th:

"1. *Resolved*, That for the purpose of effecting an honorable and amicable adjustment of all the difficulties that disturb the country, upon the basis of the Crittenden resolutions, as modified by the Legislature of Virginia, and for the purpose of consulting for our common peace, honor, and safety, the Hon. Thomas Griffin, of Alamance, D. M. Barringer, David S. Reid, John M. Morehead, and George Davis, be, and they are hereby appointed Commissioners to represent North Carolina in the proposed consultation to be held at Washington City, on the 4th of February, 1861. And,

"*Whereas*, The State of North Carolina has been invited by the State of Alabama to meet at the City of Montgomery, on the 14th of February, 1861, for the purpose of framing a provisional as well as permanent government; and,

"*Whereas*, North Carolina, as a part of the Federal Union, has no right to send delegates for such a purpose: therefore, be it

"2. *Resolved*, That for the purpose of effecting an honorable and amicable adjustment of all the difficulties that distract the country, upon the basis of the Crittenden resolutions, as modified by the Legislature of Virginia, and for the purpose of consulting for our common peace, honor, and safety, the Hon. David L. Swain, M. W. Ransom, and John L. Bridgers, are appointed Commissioners to visit Montgomery, Alabama, for the purpose above indicated."

Messrs. Swain, Ransom, and Bridgers were invited to occupy seats in the Congress during open sessions. During the day very little was done. The Committee on Provisional Government was hard at work maturing its report.

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Congress.

February 7th, a resolution was received from the Alabama Legislature, placing the sum of five hundred thousand dollars at the disposition of the "Provisional Government of the Confederacy of the Seceded States," as a loan, with which to set the new Government in motion.

February 8th, the loan was accepted, in a series of complimentary resolutions. A secret session was called at 11½ o'clock, A. M., and, after a protracted discussion, adopted the Provisional Constitution reported from the Special Committee. Its preamble read:

"We, the Deputies of the sovereign and independent States of South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana, invoking the favor of Almighty God, do hereby, in behalf of these States, ordain and establish this Constitution for the Provisional Government of the same, to continue one year from the inauguration of the President, or until a permanent Constitution or Confederation between the said States shall be put in operation, whichever shall first occur."

The Constitution was a perfect transcript of the Federal instrument, except in special clauses, that here may be stated:

"The seventh section, first article, read as follows:

"The importation of African negroes from any foreign country other than the Slaveholding States of the United States is hereby forbidden, and Congress is required to pass such laws as shall effectually prevent the same.

"Article second—Congress shall also have power to prohibit the introduction of slaves from any State not a member of this Confederacy.

"Article fourth of the third clause of the second section read:

"A slave in one State escaping to another shall be delivered up on the claim of the party to whom said slave may belong, by the Executive authority of the State in which such slave may be found; and in case of any abduction or forcible rescue, full compensation, including the value of the slave, and all costs and expenses, shall be made to the party by the State in which such abduction or rescue shall take place.

"Article sixth of the second clause provided:

"The Government hereby instituted shall take immediate steps for the settlement of all matters between the States forming it and their late confederates of the United States in relation to the public property and public debt at the time of their withdrawal from them; these States hereby declaring it to be their wish and earnest desire to adjust everything pertaining to the common property, common liabilities, and common obligations of that Union upon principles of right, justice, equity, and good faith."

drawal from them; these States hereby declaring it to be their wish and earnest desire to adjust everything pertaining to the common property, common liabilities, and common obligations of that Union upon principles of right, justice, equity, and good faith."

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This Constitution was understood to have been adopted by the unanimous vote of the Convention.

February 9th, the election of President and Vice-President was held by the delegates, resulting in the choice of Jefferson Davis, of Mississippi, to be Provisional President, and Alexander H. Stephens, of Georgia, to be Provisional Vice-President. The vote in either case was reported unanimous. The President of the Convention also appointed the usual Congressional Committees, viz: on Foreign Affairs, Finance, Military Affairs, Naval Affairs, Postal Affairs, Commerce, Patents, &c., &c. Among other legislative action was an ordinance continuing in force, until repealed or altered by the Congress, all laws of the United States in force or use November 1st. Also a resolution instructing the Finance Committee to report promptly a tariff for raising revenues to support the Government. That step blew away the dust from French and English eyes, who, in the proposed Confederacy, saw brilliant visions of free trade and an unrestricted commerce in foreign bottoms. It was only one instance in which the promises of the leaders to their own people, as well as to foreign capitalists and manufacturers, were not fulfilled. A resolution was also adopted authorizing the appointment of a committee to prepare and report a "Permanent" Constitution for the Government of the Southern Confederacy—a mere matter of form, to confirm the "Provisional" Constitution.

Mr. Stephens was serenaded during the grand demonstration which took place on the evening of this day, February 9th, in honor of the election of officers for the new Government. Being called out, he addressed the vast concourse of people as follows:

"This is not the time nor place to discuss the great questions now pressing upon the public counsels. It is sufficient to say that this day a new republic has been formed. The 'Confederate

Mr. A. H. Stephens'
Speech.

Mr. A. H. Stephens'
Speech.

States of America' have been ushered into existence, to take their place among the nations of the earth; under a temporary or Provisional Government, it is true, but soon to be followed by one of a permanent character, which, while it surrenders none of our ancient rights and liberties, will secure them more perfectly. We trust for peace, security, and domestic tranquillity. That ought to be the object of all Governments. What is the future of this new Government? The fate of this new Republic will depend upon ourselves. Six States only at present constitute it; but six stars yet appear in our constellation and Constitution. The permanent Government may have a greater number than the original thirteen of the original Union, with more than three times their population, wealth, and power. With such a beginning, the prospect of the future presents strong hopes to the patriot's heart for bright prospects in our career; but what the future shall be depends on ourselves and those who come after us. Our Republic, and all Republics, to be permanent and prosperous, must be supported by the virtue, intelligence, and integrity and patriotism of the people.

"These are the corner-stones upon which the temple of liberty must be constructed, to stand securely and permanently. Resting our trust upon these, we need fear nothing from without or within, with a climate not surpassed by any on earth. With staples and productions which control the commerce of the world; with institutions, so far as regards our organic and social policy, in strict conformity to nature and the laws of the Creator, whether read in the Book of Inspiration, or the great Book of Manifestations around us, we have all the natural elements essential to attainment in the highest degree of power and glory. These institutions have been much assailed, and it is our mission to vindicate the great truth on which they rest, and with them exhibit the highest type of civilization which it is possible for human society to reach. In doing this, our policy should be marked by a desire to preserve and maintain peace with all States and people. If this cannot be done, let not the fault lie at our own door. While we should make aggressions on none, we should be prepared to repel those made by others, let them come from whatever quarter they may. We ask of others simply to let us alone, and to be permitted to look after our safety, security, and happiness in our own way, without molesting or giving offence to other people. Let, then, peace, fraternity, and liberal commercial relations with all the world, be our motto. With these principles, without envy towards other States in the line of policy they mark out for themselves, we will invite them

to a generous rivalry in all that develops the highest quality of every nation. With the best wishes to you, gentlemen, and to the success of our common Government this day announced, I bid you good-night."

February 11th, Mr. Stephens accepted the election to the Vice-Presidency of the new Government in the following speech:

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"I have been notified by the Committee of my election as Vice-President of the Provisional Government of the Confederate States of America. The Committee request that I should make known to this body, in verbal response, my acceptance of the high position to which I have been called. This I now do, in this august presence, before you, Mr. President, before Congress, and before this large concourse of people, under the bright sun and brilliant sky which now smile so auspiciously upon us. I take this occasion to return my most profound acknowledgments for this expression of confidence on the part of Congress. There are special reasons why I place an unusually high estimate on it. The considerations which induced me to accept it I need not state. It is sufficient for me to say, that it may be deemed questionable whether any good citizen can refuse to discharge any duty which may be assigned him by his country in the hour of need. It might be expected that I should indulge in some remarks on the state of public affairs, and the dangers which threaten us, and the most advisable measures to be adopted to meet the pressing exigencies. Allow me to say, in the absence of the distinguished gentleman called to the Chief Executive Chair, I think it best to forbear saying anything on such matters. We expect him in a few days—by Wednesday of this week, if not providentially detained—when we will hear from him on these difficult questions; and, I doubt not, we shall cordially and harmoniously concur in the line of policy his superior wisdom and statesmanship will indicate. Meantime, we may very profitably be directing our attention to such matters as providing necessary postal arrangements, making provision for the transfer of the Custom-houses from the jurisdiction of the separate States to the Confederacy, and the imposition of such duties as are necessary to meet the present expected exigencies. The power to raise revenue should be limited to the object of the revenue. A small duty of not exceeding ten per centum upon importations, it is believed, is sufficient. We can also be devoting our attention to a Constitution and permanent Government, stable and durable, which is one of the leading objects of our assembling. I am now ready to take the oath."

February 12th, the Chair announced the

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Committees—the most important of which were filled as follows:

"*On Foreign Affairs*: Messrs. Rhett, of S. C.; Nisbett, of Ga.; Perkins, of La.; Walker, of Ala.; and Keitt, of S. C.

"*On Finance*: Messrs. Toombs, of Ga.; Barnwell, of S. C.; Kenner, of La.; Barry, of Miss.; and McRae, of Ala.

"*On Commercial Affairs*: Messrs. Memminger, of S. C.; Crawford, of Ga.; Morton, of Fla.; Curry, of Ala.; and Delcouet, of La.

"*On the Judiciary*: Messrs. Clayton, of Miss.; Withers, of S. C.; Hale, of Ala.; T. R. Cobb, of Ga.; and Harris, of Miss.

"*On Naval Affairs*: Messrs. Conrad, of La.; Chesnut, of S. C.; Smith, of Ala.; Wright, of Ga.; and Owens, of Fla.

"*On Military Affairs*: Messrs. Barton, of Ga.; Miles, of S. C.; Sparrow, of La.; Kenan, of Ga.; and Anderson, of Fla.

"*On Postal Affairs*: Messrs. Chilton, of Ala.; Hill, of Ga.; Boyce, of S. C.; Harrison, of Miss.; and Curry, of S. C."

Mr. Stephen's was inaugurated, and took the following oath:

"You do solemnly swear that you will faithfully execute the office of Vice-President of the Confederate States of America, and will, to the best of your ability, preserve, protect, and defend the Constitution thereof—so help you God."

The Confederacy assumed charge of the question of the seized arsenals, forts, &c., in the adoption of a resolution which read:

"*Resolved*, That this Government takes under its charge the questions and difficulties now existing between the sovereign States of this Confederacy and the Government of the United States, relating to the occupation of forts, arsenals, navy-yards, and other public establishments, and that the President of this Congress be directed to communicate this resolution to the Governors of the States."

This threw all responsibility of the conduct of affairs in Charleston harbor on the central authorities, and South Carolina ceased to be sovereign. The resolution was as authoritative and imperative as the mandate of the Czar. Governor Pickens became thenceforward one of the lesser lights—so fleeting was the term of South Carolina's independence.*

*The *Mercury*, of Charleston, grew exceedingly irritated over this early assumption of supreme power

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A resolution was offered looking to the sending of Commissioners to Washington. It was referred to the Committee on Foreign Affairs.

On the 13th, quite a discussion arose on the question of a Government foundry and arms manufactory. Mr. Cooper, proprietor of the Etowah Iron-Works, proposed to convert these works into the required manufactory. The matter was finally referred to the Military Committee. The debate served to show that several "very extensive" iron-works were for sale.

A resolution was adopted providing for the Military and Naval Committees to include in any plan they might propose for the organization of the Confederate army and navy suitable provisions for such officers of the army and navy of the United States "as may have tendered their resignations in consequence of their adhesion to any or all of the States of this Confederacy."

Mr. Brooke proposed a resolution to instruct the Committee on the Flag and Seal of the Confederacy to adopt and report a flag as similar as possible to the flag of the United States—making only such changes as were necessary to distinguish easily the one from the other. He supported his resolution by a speech, in which he paid a patriotic tribute to the Stars and Stripes, saying: "In

by the Congress. It declared South Carolina still supreme in the matter of Fort Sumter, in these energetic terms:

"What remains but for the Executive of South Carolina to take the fort? The authorities of the Confederation have nothing to do with it unless the State is incapable of resisting these aggressions, and needs assistance. After two efforts to obtain peaceable possession of Fort Sumter, and a submission for two months to the insolent military domination, in our bay, of a handful of men, the honor of the State requires that *no further intervention, from any quarter should be tolerated*, and that this fort should be taken, and taken *by South Carolina alone*. By any other course, it appears to us, unless all the positions of the Governor are false, the State *must be disgraced*."

The Mercurial party was thus hatching rebellion against the new Government. The State, it was evident, was so chronically distempered as to be inescapable under any extraneous control.

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revolutionary times it is desirable to make as little change as possible in those things to which the people have been accustomed. We should respect even their prejudices. The flag of the United States remains yet the emblem of the former glory, strength, and power of the nation. We, as well as the Northern Confederacy, have an interest in its past history. True, sir, it is but a sentiment; but the feelings which hallow that emblem are not those merely of custom or habit, but they are the result of aspiration. That flag is an idol of the heart, around which cluster the memories of the past, which time never can efface nor cause to grow dim. * * Sir, let us preserve it as far as we can. Let us continue to hallow it in our memory, and still pray that,

"Long may it wave
O'er the land of the free
And the home of the brave."

This patriotic outburst, savoring so rankly of the Union, deeply stirred up that little assembly. Mr. Miles, from the Flag and Seal Committee, protested against Mr. Brooke's resolution, and his sentiments. He said, among other things:

"The gentleman speaks of the victories achieved in Mexico under the flag of the United States. True, sir, but I feel more pride in stating that the Palmetto Regiment was there, and bathed its own State flag in the blood of many of its members and officers, and the warm heart of the gallant Colonel of their regiment, the chivalrous Butler, beat its last pulsation there. [Applause.] That flag, that State flag, is dearer to my heart than the flag of the United States, for it was under that flag that the battle of Fort Moultrie was fought; it was under that flag that the battles of Eutaw, Kings Mountain, and Cowpens were fought; and I have always, sir, been one of those who thought there was an over-estimate placed on the glories of the flag of the United States. Why, sir, most of the great battles of the Revolution were not fought under it, but under the separate State flags, before the recognition of the United States by the nations of the world."

Mr. Brooke withdrew his resolution, "at the suggestion of a friend."

The Flag question came up again, February

Proceedings of the
Congress.

14th, when Mr. Boyce presented to Congress a flag remitted by a lady "who resides in the picturesque town of Winnesborough, Fairfield District, S. C.—a lady of remarkable intelligence, whose path through life has been illustrated by all those virtues which adorn the female character." The letter remitting the flag was represented as "full of authentic fire. It is worthy of Rome in her best days, and might well have been read in the Roman Senate on that disastrous day when the victorious banner of the great Carthaginian was visible from Mount Aventine. And," the enthusiastic speaker said, "I may add, sir, that as long as our women are impelled by these sublime sentiments, and our mountains yield the metals out of which weapons are forged, the lustrous stars of our unyielding Confederacy will never pale their glorious fires, though baffled oppression may threaten with its impotent sword, or, more dangerous still, seek to beguile with the Syren song of conciliation." Mr. Boyce's grandiloquence was followed by the reading of a letter from a Mrs. Ladd, giving her three sons to the cause, and thanking God that she was a Woman of the South. Flags were presented by Messrs. Stephens, Toombs, and Walker. All these candidates for National adoption were referred to the proper Committee.

The secret seal was lifted slightly on the 14th, by a resolution—permitting the Judiciary Committee "to print such matters as they may desire to lay before Congress." This same liberty was extended also to any of the Standing Committees, so far as to allow the printing of any matter which they might deem requisite for the uses of the Committees.

The inauguration of President Davis was fixed for Monday, February 18th, and a suitable Committee appointed to attend the President. An Act was adopted in secret session this day (February 15th) to continue in office the officers of customs, and providing for the payment of the customs to the Confederate authorities. The proceedings of the open session of the Congress, February 16th, were unimportant.

CHAPTER XXIV.

PROCEEDINGS OF CONGRESS CONTINUED. TENTH WEEK. THE
WITHDRAWAL OF LOUISIANA MEMBERS. SPEECHES OF SLIDELL,
BENJAMIN, CLINGMAN, ANDREW JOHNSON, HENRY WINTER
DAVIS, KELLOGG, AND OTHERS.

Petitions.

THE Senate proceedings of Monday, February 4th, were particularly interesting from the withdrawal speeches of the Louisiana Senators, and by the elaborate disunion argument of Mr. Clingman, of North Carolina. Mr. Crittenden presented several important memorials and petitions from citizens of Louisville, Kentucky, of New Albany, Indiana, from citizens of Michigan, New York, Maryland, &c., praying the passage of his resolutions, or for some compromise. Chandler, of Michigan, presented two petitions from citizens of Bay County, of that State, protesting against the alteration of the Constitution. Other petitions were presented by Messrs. Bigler and Fessenden, also praying for compromise. Wilson, of Massachusetts, introduced a resolution calling upon the President for information concerning the seizures in Louisiana. To its introduction Bigler objected, when it laid over under the rules.

Mr. Slidell, of Louisiana, Slidell's Valedictory. sent to the Secretary's desk a copy of the Louisiana Ordinance of Secession, which he had read. He then addressed the Senate quite at length, defending the course of the seceding States. His argument, in many respects, was an able one, and his declarations were somewhat novel on points of interest involved. Among other things, he said :

"We will adopt all laws not locally inapplicable or incompatible with our new relations; we will recognize the obligations of all existing treaties—those respecting the African slave-trade included. We shall be prepared to assume our just proportion of the national debt; to account for the cost of all the forts and other property of the United States,

which we have been compelled to seize in self-defence, if it should appear that our share in such expenditure has been greater than in other sections; and, above all, we shall, as well from the dictates of natural justice and the principles of international law as of political and geographical affinities and of mutual pecuniary interests, recognize the right of the inhabitants of the Mississippi Valley and its tributaries to its free navigation. We will guarantee to them a free interchange of all agricultural productions, without imposts, tax-duty, or toll of any kind; the free transit from foreign countries of every species of merchandise, subject only to such regulations as may be absolutely necessary for the protection of any normal system we may establish, and for purposes of police.

"We must be prepared to resist coercion, whether attempted by avowed enemies, or by a hand heretofore supposed friendly, by open war, or under the more insidious, and, therefore, more dangerous pretext of enforcing the laws, protecting public property, and collecting the revenues. We shall not cavil about words, nor discuss legal and technical distinctions; we shall consider the one as equivalent to the other, and shall be prepared to act accordingly. *Utroque arbitrio parati*. You will find us ready to meet you with the outstretched hand of fellowship, or in the mailed panoply of war, as you may will it. Elect between these alternatives.

"You may ignore the principles of our immortal Declaration of Independence; you may attempt to reduce us to subjection; or you may, under color of enforcing your laws or collecting your revenue, blockade our ports. This will be war, and we shall meet it with different, but equally efficient, weapons. We will not permit the introduction or consumption of any of your manufactures; every sea will swarm with our volunteer militia of the ocean, with the striped bunting floating over their heads, for we do not mean to give up that flag without a bloody struggle—it is ours as much as yours; and although for

a time more stars may shine on
 Shidell's Valedictory. your banner, our children, if not
 we, will rally under a constella-
 tion more numerous and more resplendent than yours.
 You may smile at this as an impotent boast, at least
 for the present, if not for the future; but if we need
 ships and men for privateering, we shall be amply
 supplied from the same sources as now almost ex-
 clusively furnish the means for carrying on, with un-
 exampled vigor, the African slave-trade—New York
 and New England. Your mercantile marine must
 either sail under foreign flags or rot at your wharves.

"But, premitting these remedies, we will pass
 to another equally efficacious. Every civilized na-
 tion now is governed in its foreign relations by the
 rule of recognizing Governments '*de facto*.' You
 alone invoke the doctrine of the '*de jure*,' or divine
 right of lording it over an unwilling people strong
 enough to maintain their power within their own
 limits. How long, think you, will the great Naval
 Powers of Europe permit you to impede their free
 intercourse with their best customers for their vari-
 ous fabrics, and to stop the supplies of the great
 staple which is the most important basis of their
 manufacturing industry, by a mere paper blockade?
 You were, with all the wealth and resources of this
 once great Confederacy, but a fourth or fifth rate
 naval power, with capacities, it is true, for a large,
 and, in a just quarrel, almost indefinite expansion.
 What will you be when not only emasculated by the
 withdrawal of fifteen States, but warred upon by
 them with active and inveterate hostility?"

His argument was directed to a justifica-
 tion of the course pursued by his people.
 He asserted that the revolution was a move-
 ment of the people, and not a scheme of
 leaders; that it was *not* a long-contemplated
 conspiracy, but a public expression of a
 prevalent popular feeling.

Mr. Benjamin followed,
 Benjamin's Farewell. delivering his valedictory.

His former speech [given
 on pages 150-51] expounded his views on
 the rights of States. On the present occa-
 sion he reaffirmed those opinions, and refer-
 red to the fact that it was said whatever
 rights might accrue to the old States, Lou-
 isiana, purchased by the Government, could
 not plead any "original independence." He
 assumed that the State and its people were
 not a piece of property over which the Gov-
 ernment could exercise the jurisdiction of
 bargain and sale; that they were only parts
 of a whole domain, for which, and by which,

Government only existed.

He proceeded to show that, Benjamin's Farewell.
 in the treaty of cession of
 domain, the sovereignty was only conveyed
in trust. Of the feeling and fixed purposes
 of the Southern people, he said:

"We are told that the laws must be enforced;
 that the revenues must be collected; that the South
 is in rebellion without cause, and that her citizens
 are traitors.

"Rebellion! The very word is a confession, an
 avowal of tyranny, outrage, and oppression. It is
 taken from the despot's code, and has no terror for
 other than slavish souls. When, sir, did millions of
 people rise as a single man, rise in organized, de-
 liberate, unimpassioned rebellion against justice,
 truth, and honor? Well did a great Englishman ex-
 claim upon a similar occasion:

"You might as well tell us that they rebelled against
 the light of heaven; that they rejected the fruits of the
 earth. Men do not war against their benefactors; they are
 not mad enough to repel the instinct of self-preservation.
 I pronounce, fearlessly, that no intelligent people ever rose,
 or ever will rise, against a sincere, rational, and benevolent
 authority. No people were ever born blind. Infatuation
 is not a law of human nature. When there is a revolt by a
 free people, with the common consent of all classes of so-
 ciety, there must be a *criminal* against whom that revolt is
 aimed."

"Traitor! Treason! Ay, sir, the people of the
 South imitate and glory in just such treason as
 glowed in the soul of Hampden; just such treason
 as leaped in living flames from the impassioned lips
 of Henry; just such treason as enriches with a sa-
 cred halo the undying name of Washington!

"You will enforce the laws. You want to know
 if we love a Government; if you love any authority
 to collect revenue; to bring tribute from an unwill-
 ing people? Sir, humanity desponds, and all the in-
 spiring hopes of her progressive improvement vanish
 into empty air at the reflections which crowd upon
 the mind at hearing repeated, with aggravated enor-
 mity, the sentiments against which a Chatham
 launched his indignant thunders a century ago. The
 very words of Lord North are repeated here in de-
 bate, not as quotations, but as the spontaneous out-
 pourings of a spirit the counterpart of theirs.

"In Lord North's speech on the destruction of the
 tea in Boston Harbor, he said:

"We are no longer to dispute between legislation and tax-
 ation; but we are now only to consider whether or not we
 have any authority there. It is very clear we have none,
 if we suffer the property of our subjects to be destroyed.
 We must punish, control, or yield to them."

"And thereupon he proposed to close the port of
 Boston, just as the Representatives of Massachu-
 setts now propose to close the port of Charleston,

Benjamin's Farewell. *in order to determine whether or not you have any authority there.*

It is thus that Boston, in 1861, is to pay her debt to Charleston, which, in the days of her struggle, proclaimed the generous sentiment that 'the cause of Boston was the cause of Charleston.' Who, after this, will say that Republics are ungrateful? Well, sir, the statesmen of Great Britain answered to Lord North's appeal, 'yield.' The courtiers and the politicians said, 'punish,' 'control.' The result is known. History gives you the lesson. Profit by its teachings.'

Clingman's Speech. The consideration of the President's Message, on the Virginia Peace Convention

resolutions, was then called, when Mr. Clingman, of North Carolina, addressed the Senate, chiefly in reply to Senator Seward. In his former speech [see pages 63-64] his general views were expounded. He confined himself, at this time, to special points. He proceeded to show that a Republican rule must inevitably result in the abolishment of Slavery, in all States which remained under the old state of things. He said, in all sincerity, to Mr. Crittenden, that, "in his judgment, the issue which North Carolina and Kentucky have to determine is, whether there shall be a manly resistance *now*, or whether our States shall become free-negro communities. It is my deliberate judgment that, if this issue had met with no resistance, the latter alternative would have been the result." He recurred, quite at length, to the impossibility of a blockade being sustained, or even allowed by European governments. He drew a sad picture of the disaster which would overwhelm Northern commerce and finances, if cotton were withheld. The South, he assumed, could keep an army of 450,000 men in the field, and, fighting for very existence, would never count its cost. But, the North, to meet this force, must have a relatively greater one. How would it be kept in the field? He conceived it impossible for the necessary army to be rendered available for any length of time—its cost would, of itself, live the North down. The only three courses left to be pursued were, 1st. A settlement such as would satisfy the South. 2d. The recognition of Southern independence. 3d. War. The first he considered as most desirable; if it could not be made effective, the

second was then the next best resort; the third would come of its own accord, if something was not done. He referred to the forts in the South, and confessed that dispatches *were sent* from Washington for their seizure, when it was learned that they were to be reinforced. The President countermanded the orders for reinforcements, at eleven o'clock at night, but the dispatches had gone forward and the seizures followed. He assumed that it was against the wishes of the people to take Government property, and they only had done so to assure their own safety.

Mr. Clingman then referred to the question of recognition of Southern independence by foreign powers—a certainty about which there should be no dispute. He proceeded to show that it would be against the order of things not to recognize it after the new Confederacy became a *de facto* Government. Great Britain, in particular, would come forward, for, notwithstanding her *apparent* anti-slavery sympathies, she was going to do nothing to injure her commerce, nor to throw her own masses out of employment.

The breaking up of the Charleston Democratic Convention was one of the worst obstacles in the way of the cooperation of all the Southern States in the secession movement. If only *one* candidate had been in the field, and the Republican candidate had been elected, then the Slave States would all have gone out together; but, that very division in the Convention had been the obstacle in the way to this uniform movement. He said the result would have been the same had there been but one candidate in the field—the Northern majority would have carried all before it.* The idea of submission to that majority was absurd, if the principle was to be pressed to its entire conclusions. Suppose a free negro had been elected President—would it have been expected of the South to submit?

The Pacific Railway bill, the Tariff bill, and the Homestead bill he considered as all inimical to a peaceful settlement, since they

* We can hardly account for this statement of the Senator. As we have shown, [page 137,] the Republicans were immensely in the *minority*, on a *popular vote*.

were nothing but Republican schemes to secure their ascendancy.

He said of the future, that the Confederacy would be divided into several unities—that the anti-Slavery section along the St. Lawrence and in New England was not going with the States bordering the Ohio and Mississippi Rivers, whose sentiments and interests were too clearly identified with those of the South. He therefore thought the Northern States would divide. He closed:

"The Senator from New York said on one occasion, not long since, that, in this dispute between the North and the South, it was a matter of conscience with the North, while with the South it was only a matter of interest; and therefore the South ought to yield. By this mode, secession, the conscience of the North can be relieved, without subjecting the South to financial bankruptcy, political degradation, and social ruin. The anti-Slavery current can then run its course unchecked and untrammelled. It has already demanded, at Boston, the removal of the statue of Daniel Webster, because he was willing to compromise with the South.* How long will it be before it requires that the statues of such slaveholders as Washington and Jackson shall be thrown into the Potomac, the monument of the former razed to the ground, and the very name of

* It is singular what ideas have prevailed in regard to Webster's views. He was ever a consistent *anti-slavery* man, and opposed any compromise which would demand a sacrifice of this sentiment. In one of his very latest speeches, made at Buffalo, May 22d, 1851, he said:

"If the South wish any concession from me, they won't get it—not a hair's breadth of it. If they come to my house for it, they will not find it. I concede nothing. * * * No matter what may be said at the Syracuse Convention, or any other assemblage of insane persons, I never would consent that there should be one foot of Slave Territory beyond what the old Thirteen States had at the time of the formation of the Union. Never, never! The man can't show his face to me and prove that I ever departed from that doctrine. He would sneak away, or slink away, or hire a mercenary Heep, that he might say what a mercenary apostate from liberty Daniel Webster has become. He knows himself to be a hypocrite and falsifier. * * * All that I now say is, that, with the blessing of God, I will not now or hereafter, before the country or the world, consent to be numbered among those who introduced new slave-power into the Union. I will do all in my power to prevent it."

this city changed to one in harmony with the anti-Slavery feeling? Hereafter, if the North should meet adverse fortune, and again change its views, then there might be a reunion and a reconstruction of the Government. Twice did the Plebeians secede, and twice did the haughty Patricians make such terms of conciliation as rendered Rome the foremost empire upon earth.

"If the States were now divided into two Confederacies, and their interests required a union, I do not know why it might not occur. But war places an impassable gulf between them. A Roman Ambassador, addressing those to whom he was sent, said, 'I carry in my bosom peace and war; which will you have?' Reversing his declaration, I say to Senators on the other side of this chamber, 'You carry in your bosoms, for the country, peace or war; which do you mean to give it?' If you say war, then our people will meet you, and struggle with you all along the lines, and wherever else you come; and they will defend their honor and the safety of their wives and children, with the same spirit and resolution they exhibited at Sullivan's Island, and at Kings Mountain, at Yorktown, and at New Orleans, and over the many battle-fields of Mexico. I have no doubt the South will make a triumphal defence, if assailed; but sooner than submit to disgrace and degradation, she would, if fall she must, rather go down, like the strong man of the Bible, carrying with her the main pillars of the edifice, the edifice itself, and the lords of the Philistines, into one common ruin."

Hale, of New Hampshire, gave this speech of the North Carolina gentleman a moment's most damaging notice. He protested, as a Northern man, against its tone. *Who*, he asked, is threatening the country with war, and all the horrors of it? Has the *North* seized upon any forts, taken any arsenals, robbed any mints? Has the *North* been guilty of *one* act of aggression? Has the *North* fired into the United States flag, or into any State flag? On the other hand, is not the condition of the Northern States one that subjects them, in the eyes of the world, to the charge of pusillanimity and reproach for wanting in manliness to repel the attacks made upon them and the National Government? Gentlemen come here, he said, and preach peace to us, as if *we* were the aggressive party—as if the responsibilities of war must rest on the North! Most monstrous assumption! In remarking upon the contin-

(Clingman's Speech.)

Hale's Reply.

Hale's Reply.

gencies of war, the Senator, he said, dwelt upon that force which would be found in the Northern States favorable to the South. "Sir, I would do anything to avoid war that any honorable man can do; but, let not the Senator lay that flattering unction to his soul. I tell him if we *do* have war—God in his providence avert it!—the first thing we will do will be to dispose of Northern traitors. We shall not go South."

Lane, of Oregon, in his brusque manner, demanded to know whom the speaker called traitors. He proved, by his remarks, that he himself was a candidate for treason's honors. "Neither he nor any other man shall call *them* traitors!" The Oregon Senator evidently considered himself the guardian of secession honor. Hale replied pointedly, that he was not going to define any man's position—he left every man to choose for himself; but, "I repeat," he said, "that if we are forced into a war, I tell you we shall deal with all domestic questions without advice from anybody!" The Senator's further remarks were so characteristic that we quote his language:

"I have but a single word more to say in reply, rather to the Senator's rhetoric than his logic. He says the most imposing thing he has seen in this body was when those Senators announced the other day, that they were about to retire. Sir, I saw a ceremony simpler than that, and vastly more imposing about the same time. It was when my friend from the State of Maine, (Mr. Morrill,) coming here under an election from his State, walked up to that desk, and held up his right hand, and called God to witness that he would uphold the Constitution of the United States. That was vastly more imposing to me. The honorable Senator asks, in that overflowing rhetoric with which he has delighted the Senate so long, 'What will you say when the ten tribes go out?' Sir, I am glad to hear that. Ten tribes did go out from the kingdom of Israel, but the ark of the covenant of the living God remained with the tribe of Judah." [Applause in the galleries.]

The presiding officer called to order.

Mr. Hale—"I think the galleries ought to be excused for applauding a reference made to the Scriptures. [Laughter.] I say there is where the ark of the covenant remained. What became of the ten tribes? They have gone God only knows where, and nobody else. It is a matter of speculation what became of them; whether they constitute the Pot-

tawotomies, or some other tribe of American savages. I recollect a friend said to me the other

Hale's Reply.

day, when the Japanese were here, 'I am glad the Japanese came, for,' said he, 'I have learned more history from them than from all the books I ever read; I know now what became of the ten tribes; they settled Japan.' [Laughter.] Well, sir, that is a speculation. Now, this was suggested by the honorable Senator from North Carolina, and it is full of meaning. There were ten tribes went out; and remember, they went out wandering. They left the ark and the empire behind them. They went, as I said before, God only knows where. But, sir, I do hope and pray that this comparison, so instinctive and so eloquent, suggested by the honorable Senator, may not be illustrated in the fate of these other tribes that are going out from the household of Israel."

The House, Monday, (February 4th), was engaged almost wholly in considering the Deficiency bill. A Resolution of Inquiry, offered by McClernand, of Illinois, recited the reported seizure, in New Orleans, of Mint and Custom-house, for revolutionary purposes, and called upon the President for information. The preamble was objected to by Burnett, of Kentucky, who would consent to the inquiry without the preamble. McClernand accepted the amendment proposed; but Craigie, of North Carolina, denied all and each of the allegations in the preamble. He was surprised that Mr. McClernand, entertaining the principles which he professed, should present such a resolution. His objection was fatal to its reception, even in its modified form of simple inquiry of the President for information respecting the seizure. Thus conspirators were aided in their schemes by "friends of the South," on the floors of Congress.

Tuesday, in the House, was a day of interest. Taylor's Farewell, of Louisiana, made his farewell speech. He had the Ordinance of Secession read, and then addressed the House. Among other remarks were sentiments going to prove that compromise was simply harmless to restore the Union. The Government was dissolved, beyond remedy, without the Constitution itself were so fundamentally changed as to give the South all guarantees and privileges demanded. He asked for a

peaceful state of affairs—
 Taylor's Farewell. did not claim any right of
 secession except by the
 right of revolution. He conceived it for the
 interest of the North to accept a peaceful
 dissolution of the Union.

Sickles, of New York, interrogated Mr. Taylor. He asked, if a blockade be an act of war, whether, in his judgment, war has not already been initiated by the measures of a yet more aggressive character—namely, the seizure of the United States forts, of a public vessel of war of the United States, and the spoliation of the mint and the public moneys of the United States? That if this be so, then are not the measures of the Government of which he has spoken essentially defensive in their character, and rendered imperative upon the people and the Government of the United States in protection of their dignity, their rights, and their honor?

Taylor replied, that the seizures were in self-defence, and were not in offence—that the forts, being erected to guard the States, could not be justly used to coerce them. He repeated, that any attempt at coercion would send Missouri, Tennessee, Virginia, and North Carolina to the rescue. He then bade the House adieu.

Mr. Bouligney, of Louisiana, also made a personal explanation. He had received no official information that an Ordinance of Secession had been passed by Louisiana. As to the Convention, he was not elected by them, and had nothing to do with their action. He should not, therefore, obey their instructions. Some of the gentlemen of that body were his personal and intimate friends. He thought discourtesy had been exercised towards him in not sending him a copy of the ordinance. He would therefore pay no attention to it until he received official notice of its passage. Another reason compelled him to differ with the Senators and Representatives from that State. He was the only member of Congress elected therefrom as an American Union man, and to this principle he should stand forever. "When I came here," he added, "I took an oath to maintain the Constitution of the United States. What does that mean? Does

it not mean the Union of the States? It does, if I understand it aright. By that oath I shall stand. Whenever instructed by my immediate constituents, and asked by them to withdraw myself from this House, their wishes shall be complied with as soon as I receive the information. I shall, however, not only withdraw, but resign my seat. After I do so, I shall continue to be a Union man, and stand under the flag of the country that gave me birth." This patriotic declaration called forth great expressions of approval from the floor and galleries. The episode was a very gratifying evidence of the unwavering loyalty of a few men from the South, not yet awed into submission to the behests of revolutionary Conventions and treasonable leaders.

Colfax, of Indiana, called up his bill for suspending The Southern Mails. postal facilities in the Seceding States, when Branch, (Dem.,) of North Carolina, opposed the measure. The Postmaster already has power to discontinue the laws in such cases. When the laws cannot be enforced it would be time enough to consider such a measure as that now pending. We must either admit that the Seceding States are in or out of the Union. If this bill considers them in the Union, then it is a most injurious act to withdraw from them the postal laws. If, however, it was to acknowledge that these States are out of the Union, then he had no objection to the bill. He knew of no better way of acknowledging the independence of these States than by withdrawing from them the postal benefits of the Government.

Sickles, of New York, thought there was a legal necessity for the passage of the bill, for there is *no power*, in any of the Seceding States, to protect the mails of the United States. There is no power in any of the Seceding States to punish any criminal offence which may be perpetrated upon the mails. As there are no Courts there which would entertain jurisdiction of any offence charged to have been committed in any of the Seceding States, therefore, *en necessitate rei*, the Government of the United States must either subject the mails to the hazard of every possible trespass and depredation, or else withhold them from those States.

The Southern Mails.

Hindman, of Arkansas, regarded the bill as *virtually recognizing the independence of the Seceded States*, and should therefore vote for it. He thought, however, as a question of law, that those laws not specially repealed still remained in force.

Sickles answered: "My attention has not yet been called to that extraordinary inconsistency. I have yet to hear of the principle upon which a Sovereign State asserts its independence, and still allows the laws of a foreign jurisdiction to be enforced within its boundaries; and I trust that no State holding the dignified attitude which these States claim, either as members heretofore of this Union, or as independent States, will continue in such position."

This question gave rise to an interesting running debate. The assumption of the South that, notwithstanding the Southern States had seceded, the Government was obliged still to execute its laws until they were repealed, involved such a remarkable stultification of moral and political sensibilities, that it created astonishment, even in a community accustomed to monstrous impositions. Branch, of North Carolina, demanded to know if any instance could be cited where the collection of postage had been stopped. Colfax replied that, in Alabama, certain postmasters had refused to remit the amounts due from their offices until the course of the State was determined, when Branch made the following covering point: "These are cases of *individual* postmasters. But I would ask the gentleman from Indiana if he has any information that, in any instance, in the States that have attempted to secede, the *public authorities* have interfered with the collection of the revenue from postages?"

Colfax answered, and gave such "instances" as quite effectually silenced the patriots who were solicitous that Government should continue to carry the mails in the Seceded States. The postmasters might refuse to remit, but those were "individual" sins—the States did not interfere to prevent the collection of postages; therefore, the mails should be carried! It would be a very charming arrangement to have the Federal Government sustain the postal system throughout the

South, in view of the fact

that the expenses exceeded the revenues by several millions *annually*, [see p. 168.] The want of honor in the mere proposition is only another illustration of our previous statement, that the secession movement, in its treason, its breaking of oaths, its "appropriations" of Government property, its deception and misrepresentations, its air of insolence and dogmatism—all savored of a demoralization of the principle of integrity which presents one of the most remarkable instances of degeneracy in the whole history of civilization. Mr. Buckle, in viewing it, will find prepared for his scrutiny a fearful basis of facts upon which to theorize. It is Carlyle, we believe, who says that a people who will appropriate a man will not stop at the lesser crime of appropriating money; but, without admitting such a charge as the deduction implies, it is certain from some cause, the Southern sentiment, in 1861, was demoralized morally, as well as politically, to an extent which must ever remain a blot on the once fair fame of the Seceded States. [See Sherrard Clemens' Speech, page 270.]

Mr. Colfax, in reply to Branch's demand for instances of State complicity in outraging the sanctity of the mails, said:

"I will answer the gentleman, that there is evidence in the Post-office Department that the mails are tampered with in the States that claim to have seceded, and there is no authority by which you can protect the letters against being tampered with. A man may take letters that do not belong to him from the mails in the public streets and open them, and there is no tribunal before which he can be brought for that offence. I will add, that it is well known that the correspondence between this Government and Major Anderson at Fort Sumter was stopped by the authority of the Governor of South Carolina, until the Governor saw fit to allow it to continue, and it is now continued only by his toleration."

Sickles said, also, in the course of his forcible argument for the suspension:

"So far as this is a question to be considered with reference to individual and private inconvenience, the merchants of New York will suffer, in a pecuniary point of view, one hundred-fold more than the merchants of the South. The Seceding States are indebted millions upon millions to the

The Southern Mails.

Sickles' Argument.

The Southern Mails.

City of New York. A large portion of this indebtedness is wholly unavailable. Of the bills receivable, payable by the Seceding States, which matured in January and February, not twenty per cent. has been paid. The balance of trade is entirely against the Seceding States, as we all know, and this is the very season of the year when the remittances, if honorably met, are forwarded. They have not been met, I regret to know. But, sir, they would not be safe; I maintain, under existing legislation and in the present condition of relations between the United States and the Seceding States, that it would be most hazardous to forward remittances between the Seceding States and the remaining States of the Union. * * * * *

"I suppose, sir, that persons holding positions as postmasters in those States, pay over what they receive to the Sub-Treasuries in their vicinity; and then, sir, as we have seen in Louisiana, the State authorities, after it has been collected in one mass, appropriate it to the local Government. In that way all the revenues from the postal service, and all the deposits belonging to the United States in those Sub-Treasuries, are secured to the insurgent States; and frequently in the sub-treasuries and mints in those States there are large amounts of money belonging to private individuals, which are placed there upon deposit, placed there for coinage, placed there to be weighed, and placed there to be stamped for exportation. We have no means of protecting that private property in any of those States; and for the same reason that I would have suspended the mint at New Orleans a month ago, if a proposition had been brought forward for that purpose, because I could not anticipate the security of the public and private property there, for that very identical reason I will now, in view of these acts of spoliation, withdraw the mails from a jurisdiction where they cannot be protected. * * * * *

"The United States Judges have resigned, and you cannot get a jury in these Seceding States that would convict a man of an offence against a jurisdiction which they repudiated. Wherever the flag of the United States cannot go, wherever the jurisdiction of the United States is repelled and insulted, I would not trust the property of the United States. If the money, if the bullion in the Mint at New Orleans is not safe from spoliation; if they are willing in Louisiana to imitate the Mexican policy of spoliation upon property, how, sir, could you intrust your mails with the property of your citizens, with the dispatches of your Government, and with the property, also, of the Government, within the same jurisdiction? You cannot do it."

Mr. Sickles, as a Democrat, and friend of

the South, had stood up for a recognition of the independence of the Southern States, presuming that their disquiet was, as represented, too grievous to allow of their further association with the North, in the Union. He represented, unquestionably, a large party in the North, entertaining like sentiments. How the entire features of the revolution had changed, when the mask dropped off, may be inferred from his remarks on this occasion, for which we claim the reader's attention:

"Mr. Speaker, we must not close our eyes to the new phases which events have successively put upon the secession movement. It originated, sir, as a peaceful remedy for grievances. As such it had thousands and tens of thousands of men at the North who were disposed to meet it on midway ground, and say, 'If you cannot abide with us, bitter as the lesson may be, we will yield to your appeals for a separation.' That was the December phase of the secession movement. In January it assumed a new attitude. No longer peaceable, no longer disposed to await the consent of the deliberations of the Northern States, forcible possession was taken of our forts, and arsenals, and arms, and we were menaced, in advance, with all the terrors of civil war, and degradation to our flag and jurisdiction was inflicted upon us. When this new phase of the secession movement was presented, those friends of the Southern cause who, up to December, defended it manfully, became only the apologists of the erring acts of their friends. In February it assumes yet a new phase. I can only characterize it as the Mexican method of revolution. * * * In November it was peaceable secession. We could agree to that. I am for it. In January it was forcible secession; and then, sir, the friends of peaceable secession in the North were transformed into timid apologists. In February it is spoliation and war. Armies are raised under the guns of forts belonging to the United States, the jurisdiction of which has been ceded to us by the solemn acts of the Seceding States. Measures of open war yielded to Mexican spoliations, and I say, in the presence of this new and last phase of the secession movement, that it can have no friends in the North, it can have no apologists in the North, but there will soon be no exception to the general denunciation which it must meet with from the loyal and patriotic citizens of this country."

The Democratic
Alarm Sounded.

This declaration embodied the now almost unanimous feeling in the North—of stern, uncompromising resistance to the Southern movement. "Democracy," "Republicanism,"

"Americanism," "Abolitionism"—all were passing away like shadows over the plain, to give place to the vast cloud charged with the lightnings and thunders of a united people.

Hughes, (Dem.,) of Maryland, addressed the House in a speech of an hour's duration. It embodied the usual declaration of causes which led to the disturbed state of affairs, chief of which was the election of a President on a strictly geographical and sectional issue. He favored the Crittenden Compromise as a reasonable mode of adjustment.

In the evening session—
Various Speeches. held to give certain gentlemen an opportunity for an expression of their sentiments before debate was suspended on the Corwin Report—Messrs. Logan, (Dem.,) of Illinois, Tappan, (Rep.,) of New Hampshire, Moore, (Dem.,) of Kentucky, and Trimble, (Rep.,) of Ohio, severally addressed the House.

Logan opposed coercion or war against the seceded States. We must regard the revolution as accomplished, and can treat with them only in a peaceful manner. He counseled concession and compromise. Let all come together in the spirit which actuated the patriot fathers, and not as partisans, who adhere to mere party platforms in preference to the Union, to save the Union. He was willing to vote for any proposition, and to sacrifice every opinion he ever entertained. He wished to conciliate the conservative men of the South, that they, holding the national flag in one hand, and grasping the Union with the other, may put to rout the Disunionists.

Tappan opposed both secession and compromise. He was for the Constitution as it was, and preferred the Union as it had been to what it would be under "conciliation"—which meant humiliation of the North. Mr. Tappan had, as a member of the Committee, joined Washburne, of Illinois, in a Minority Report, [see page 213-214.]

Moore discarded Secession as heresy and a new-fangled idea. The wise, patriotic, and sagacious framers of the Constitution did not implant within it seeds for its own destruction. None of them considered that a State had a right to secede. He argued that the

South should have equal rights in the Territories with the North. His State had abundant reason to complain of the aggressions of the North, but this was no reason why the Union should be dissolved. When the dogmas of the Republican platform come to be put into practice, then it would be time to revolt. Kentucky had never found the Government oppressive, and was not going to plunge into revolution without just cause.

Trimble still prayed and hoped for the Union. He would vote to conciliate, but could not consent to the Crittenden Compromise for recognising Slavery.

In the Senate, Tuesday, (February 5th,) Andrew Johnson, of Tennessee, delivered a somewhat remarkable speech, denouncing secession in forcible terms, and arraigning certain of his assailants for their inconsistency and duplicity.

Andrew Johnson's
Second Speech.

In his former speech he had planted himself on the Constitution, beside its fathers, and against the doctrine of nullification and secession, which he considered to be a national heresy. As far back as 1833 he had planted himself on the same principles, and believed the doctrine of secession to be a heresy, which, if sustained, would lead to the destruction of the Government; and he opposed this doctrine to-day for the same reasons. He believed that it would be the destruction also of any Government which might be formed subsequently. He looked upon this doctrine as a prolific political sin; as a production of anarchy, which was the next step to despotism. For his speech on the 19th of December, [see page 91-92,] he had been attacked and denounced; but he was inspired with a confidence that he had struck treason a blow, and men who were engaged in being traitors felt the blow. His object now was to meet attacks.

He then referred to Benjamin's speech of the previous day regarding Louisiana's right to leave the Union, showing that the General Government had paid sixty millions of francs for the soil and sovereignty of the State—had given her constant protection ever since, even to levying a sugar duty for her special benefit, and what was the return? Let the pages of history tell! Let robbed mints,

Andrew Johnson's
Second Speech.

pillaged arsenals, seized forts and usurpations over the people tell! Benjamin, but a short time previous to his lugubrious lamentations over Louisiana's "wrongs," had characterized disunionists as those who shot arrows at the bright sun. What had made him so oblivious to his late sentiments? Had any "wrongs" been perpetrated in the mean time?

The speaker then quoted from the *Richmond Enquirer* of 1814, where, discussing the proceedings of the Hartford Convention, it assumed the position that no State had a right to withdraw from the Union—that resistance against the laws was treason, calling on the Government to arrest the traitors, for the Union must be saved at all hazards. Mr. Johnson said he subscribed fully to those opinions. But what is Treason? The Constitution says, "Treason consists in levying war against the United States, or adhering to an enemy, and giving him aid and comfort." Does it need any search to find men levying war, and giving aid and comfort to enemies against the United States? Treason ought to be punished, North and South; and if there are traitors, they should be entitled to traitors' reward. He said that South Carolina early had a prejudice against a Government by the people, and that secession was no new thing in that State. He referred to the early history of South Carolina, who claimed, at one time, that they were ready to go back under the dominion of King George. He read an address of the people of Charleston to King George, 1780, saying that they never intended to dissolve that union, lamenting the struggle of independence, professing affection and zeal for that Government, the King, &c. He then referred to the attempt to break up the Government in 1833 by South Carolina. Then they were restrained and their pride humbled, and men who speak in their Convention now say they have had an intention to dissolve the Union for forty years. The question now is, Are the other States going to allow themselves to be precipitated into ruin by South Carolina?

That State and Massachusetts ever had been a source of trouble to the Confederacy, and he thought it would be a God-send if

they could be joined together like the Siamese Twins, and be borne away to some secluded spot in the ocean.

He then proceeded to notice the assaults made upon him for his views. Of Lane's rough attack he said:

"I had not said anything offensive to him, or I did not intend to, at least. I felt he had just come out of a campaign, in which I had labored hard, and expended my money in vindicating him from the charge of secession. Yes, through dust and heat, through mud and rain, I traversed my State, meeting the charges that secession was at the bottom of his platform and principles, and that it was a fixed and decided plan to break up this Government." It was charged that it started at Charleston, and was consummated at Baltimore, and that my worthy friend was the embodiment of disunion and secession. I met the charge; I denied it and repudiated it, and tried to convince the people that the charge was untrue. I did not see what there was in my speech to extort an answer from him."

He then referred to Lane's recent declarations, comparing them with his vote, (May 25th, 1860,) declaring that Slavery in the Territories did *not* want protection. His references to the record were particularly damaging to the Oregon knight. Lane assumed that Virginia and New York had accepted the Constitution conditionally, by reserving certain rights. Johnson replied by showing that no such rights were *reserved*, and that Lane either was too stupid to understand, or had not read the record at all. He said, of Lane's ignorance in regard to Alabama's acceptance of the Constitution:

"An act to enable the people of Alabama to form a Constitution and a State Government, and for the admission of such State into the Union, on an equal footing with the original States, was approved March 2d, 1819, and the people accepted it with this passage: 'This ordinance is hereby declared unrevocable without the consent of the United States.' There is the compact. Yet it is claimed that Alabama has a right to go out of her own will, because she cannot get her equal rights. When we are a candidate for the Presidency, then, I suppose, we are all equal brethren in this Confederacy. But after we have attempted and signally failed of an election, then I suppose the enemies' line commences just where our defeat commenced."

Mr. Johnson concluded his speech on Wednesday. Before adjournment the President

Andrew Johnson's
Second Speech.

Henry Winter Davis'
Union Speech.

sent in a message remitting
the Kentucky Legislature
resolutions, asking Congress

to call a National Convention to present amendments to the Constitution. He said it afforded him great pleasure to perform this duty, and felt confident that Congress would act with careful consideration, to which the resolutions are entitled, on account of the patriotic source from which they proceed, as well as the great importance of the subject.

The conclusion of Johnson's speech, Wednesday, commanded much attention. His scathing reply to the Oregonian, and his general denunciations of the course pursued by the seceders, had excited them greatly. The "irrepressible Wigfall"—like a friend in need—made careful notes of the speech, to prepare for a reply. To him was the honor of the "great departed"—Davis, Toombs, Yulee, Slidell, and Benjamin—now confided.

The Tennessee Senator resumed, asking what any State was to get by going out of the Union—what rights in Territories that they had not already? He thought the masses, even in the Seceded States, true, if they could only shake off the tyranny of the few men who directed the whole movement. He adverted to this remarkable usurpation, showing the designs of the leaders clearly to be to override the people—to ignore them altogether; giving, among other matters in evidence, the following dispatch:

"CHARLESTON, January 19th, 1861.

"Judge McGrath and myself have sent four telegraphs to you. Please urge Mississippi to send delegates to the Montgomery meeting of States, at as early a day as possible—say February 4th—to *form immediately a strong Provisional Government*. It is the only thing to prevent war, and let that Convention elect immediately a *commander-in-chief* for the Seceding States. You may as well return, at least as far as Montgomery.

"F. W. PICKENS.

"To Hon. A. RUST JACKSON."

What meant all the vast military preparations in the South, if they did not mean war? Even in his own State a proposition had been started to raise fifteen regiments. For what? Had anybody attacked Tennessee? No! Who are we going to fight? He said:

"Conventions are got up. A reign of terror is inaugurated; and if, by the influence of a subsidized

and mendacious press, an ordinance taking the State out of the Confederacy can be ex-

Henry Winter Davis'
Union Speech.

torted, then those who make the proposition for an army expect to have all in readiness—to have their bands armed and equipped, and their Prætorian divisions fitted for the field. Then they will tell the people that they *must* carry the ordinance into effect, and join a Southern Confederacy, whether they will or not."

Anderson's conduct he approved, and paid a high compliment to the gallant officer for his brave discharge of duty. With such defenders the Union was safe. If the Union was to be destroyed, and the old flag struck to the dust, he wanted no more glorious winding-sheet than that same flag, and no better grave than to lie with the Union. He closed by making an appeal to the conservative men of the opposite party to sustain the Union men, fighting for the Union, and do something for the safety of the country; or, at least, let the question go to the people of the country, in whose patriotism and integrity he had an abiding confidence.

In the House, Wednesday, Colfax, of Indiana, from the Postal Committee,

The Postal Service
Suspended.

reported a revised bill for suspending postal routes and officers in the Seceded States—giving to the Postmaster-General the power of such suspension, when, in his opinion, the service could not be continued with safety. The bill passed by a vote of 131 to 26. Hindman, of Arkansas, voted for it as a disunion measure—it recognized the right of secession! Brown, of Kentucky, thought likewise, and voted for it on that ground.

The Report of the Committee being resumed, Humphrey, of New York, addressed the House. His argument tended to prove that the idea of thirteen independent nations had never existed but in the brains of political theorists. Before State sovereignty was dreamed of, nationality had an existence. Yet they saw States solemnly declaring the resumption of a sovereignty that they never for a moment possessed. True men could not negotiate with traitors, nor could the Government compound with treason. But as to those States which remain loyal to the country, there was no rational

Various Speeches.

demand he would deny consistent with honor and principle. The Committee had wasted much time in devising the means of the adjustment, while the true cause remains untouched. Let Lincoln be inaugurated, and then Congress could address themselves to the subject. The duty of reinvigorating the Government must be cast on the incoming Administration. Animated by a patriotic impulse, its acts will be without suspicions of fear, or conscious weakness. It must have power to concentrate and lead public opinion, aided by Congressional representatives fresh from the people. He looked forward to the next Administration with a steadfast trust and cheerful hope. Then will come the time for adjustment in conformity with honor, dignity, and principle. If the Seceded States return, it must be with a recantation of the disunion heresy on their lips.

Harris, (Dem.,) of Virginia, spoke patriotically. He said he should use every exertion in his power to preserve this Government. He was for the Union now, even bleeding, torn, and shattered as it is. The calamities, including civil war, attending and following a dissolution, bear equally on both sections, and to each they are boundless. The Cotton States are gone, but the Republican party, by coming forward like men, and rendering justice to the South, can prevent further rupture, until the Border States, by a firm and conciliatory course, can adjust with them all the pending difficulties. This done, these States would return to the Union, and it would then be fixed upon a more permanent basis than ever before. He opposed the idea of reconstruction, and urged the Republicans to accept the Crittenden propositions. Let the friends of adjustment and union stand firm, and our troubles will yet be settled.

At the evening session, Maynard, (Am.,) of Tennessee, expressed strong Union sentiments. He advocated quite earnestly the Crittenden propositions. A coercive policy, he deemed, would prove ineffectual, unwise, and attended only by evil. The moment such a war commenced, the whole South would make common cause. Trust to the Union men. Give them assurances and guarantees, so they could go back to their people and

satisfy them that their rights will not be invaded, and that their equality in

Various Speeches.

the Union will be maintained inviolate, and he would pledge himself, so far as he could, that the forts, arsenals, ships, navy-yards, the mint and the bullion shall be restored. They will do this without firing a gun or shedding one drop of blood; they will do it by the peaceful remedy of the ballot-box, with no honor soiled or self-respect lost. They will restore the Government in the high and proud position it enjoyed before these troubles commenced, and at the end for years the Government will be in the hands of a party which shall embrace every one of the thirty-four States.

Wells, (Rep.,) of New York, saw no present escape from a dissolution of the Union. Its preservation must be found in a change of sentiment in the two sections, now as wide apart as the poles. Therefore, it was impossible for them to unite on a common ground until they feel like one brother toward another. He proceeded to show that the report of the Committee of Thirty-three asks the Republicans to give up their principles as announced in the Chicago Platform, by recognizing Slavery in New Mexico. Slavery was repugnant to the principles on which the Constitution rests, hence he would never vote for any measure which saps the foundation of the stones on which the structure is erected. This is the principal question; others are of no consequence. He deprecated civil war, and would use no more force against the Seceded States than was necessary for the interests of the country. When South Carolina was hungry he would give her bread; when naked, give her clothing; and if she should come back, he would meet her half way and kill the fatted calf, and make music on her return.

In the House, Thursday, (February 7th,) Henry Winter Davis, (Am.,) of Mary-

Henry Winter Davis' Union Speech.

land, expressed his views on the State of the Union, to a very crowded auditory. His reputation as an orator, his known Union sentiments, and his position as the representative of the City of Baltimore, gave interest to his declarations. The public was scarcely

Henry Winter Davis'
Speech.

prepared for the powerful
and cogent speech which
came from his lips. It rang

out like an alarm on the night—to arouse men into an attitude of defence. The opening words of his speech were as follow:

"We are at the end of the insane revel of partisan license, which, for thirty years, has, in the United States, worn the mask of Government. We are about to close the masquerade by the dance of death. The nations of the world look anxiously to see if the people, ere they tread its mazes, will be restored to reason. * * The corruption of our political maxims has relaxed the tone of public morals, and degraded the public authorities, to become, instead of a terror, the accomplices of evil-doers. * * Under their disastrous influence, Government has gradually ceased to fertilize the fields of domestic and useful legislation, and pours itself, like an impetuous torrent, along the barren ravines of party and of sectional strife. * * The President, no longer preceded by the fasces and the axe, emblems of supreme authority, greets every popular clamor with smiles and condescension. He is degraded to the mean office of presiding over the distribution of spoils among the wrangling victors. He dedicates his vast powers to forge arms, with which to perpetuate partisan warfare at the expense of the public peace. The original ideas of the Constitution have faded from men's minds. * * Congress has ceased to regulate commerce, to protect domestic industry, to encourage our commercial marine, to promote internal trade, by internal improvements. Almost every power, useful to the people in its exercise, has been denied, or so limited in its exercise, as to be useless; and men, as a result, have forgotten that the Union is a blessing, and that they owe to the United States allegiance paramount to that due to their respective States. The consequence is, that States stand face to face to wage their own quarrels, to adjust their own difficulties, to impute to each other every wrong, to insist that individual States shall remedy every grievance, and making the failure to comply a cause for war—as if the Constitution were dead, and the power of the Federal Government utterly inadequate to keep the peace. Unconstitutional 'Commissioners' flit from State to State, or assemble at the National Capital to counsel peace or instigate war. Sir, *these* are the causes which lie at the root of present dangers; and, sir, these causes must be removed before the evils can be permanently cured. * * In the struggle for party power, the two great sections of the country have been brought face to face upon this most dangerous of all subjects of agitation—Slavery. The authority of the Government was re-

laxed just when its power was about to be assailed, and the people, emancipated from every control, their passions inflamed by the fierce struggle for the Presidency, were the easy prey of revolutionary audacity."

Henry Winter Davis'
Speech.

This view, humiliating as it must be considered, was felt to be but too true. Its force struck to the North as well as the South. "Corruption" was a word in almost every politician's mouth—it stared from the page of every partisan newspaper—it was the theme of conversation in offices, on the streets, in homes, and in halls of legislation. To become a "politician" was to become suspected of a want of honor and probity—so fearfully had our ancient political integrity deteriorated. The best men withdrew from public life, disgusted with its associations, rather than suffer dishonor by the steps which became necessary to attain office. It was all party and "platforms"—nothing of personal excellence and fitness. He was the most talked of and locally influential who could marshal the greatest number of loafers to his call. Occasionally a good man, owing to some great exigency, was forced from his retirement to take office, and his name served, perhaps, to create a momentary enthusiasm; but, all soon subsided again, and the great stream of politics drove sluggishly on, to bear to high places and low, men who never should or would have been known in circles where moral worth and intelligence were made requisites. The speaker's words were but too well grounded in truth.

Mr. Davis further spoke in substance: Without any grievance or menace, we find six States have usurped the extraordinary prerogative of rebelling against the supreme law of the land, assuming to be independent powers—seizing forts, ships, &c., and insulting the national flag. We have seen a Cabinet Minister distributing the public arms in the South, for the benefit of those who are about to resist public authority and wage war; we have seen a Cabinet Minister still holding his commission, and still bound by oath to support the Constitution, going as a Commissioner from one State to another, for the purpose of organizing the great scheme of rebellion; we have seen a President neglect-

Henry Winter Davis'
Speech.

ing the most solemn warning of the first military officer of the age, in allowing the forts to be taken possession of; we have seen him, subsequently, making bargains for peace with the Disunionists, until he shall be relieved from the responsibilities of office, instead of defending the public property and vindicating public honor, and, without remonstrance, permitting the work of disintegration to go on. His ascension to supreme power shows his utter incapacity for the Presidential honors showered upon him. We have seen, too, recently, a late Cabinet officer President of the Southern Convention, declaring it to be their purpose finally to sever connection with the United States, and take all the consequences of establishing a sovereign and independent Republic. We are driven to one of two alternatives, and we must recognize what we are informed is an accomplished fact not to be recalled, or we must refuse to acknowledge it, and accept all the responsibilities attached to that refusal. He did not wish to quarrel about words, but the Constitution and laws of the United States *must be enforced*, and those who stand across the path of that enforcement must either destroy the power of the United States, or it will destroy them. He trusted that this condition was centuries or thousands of years distant. The revenue may be collected on ship-board, and the laws of commerce enforced by not allowing vessels to pass out without papers from the United States authorities, and the postal facilities can be continued or suspended, according to the circumstances of the locality, and the courts of justice may be supported as in Utah, or their jurisdiction be extended in the States where there is no disturbance. These are clear and peaceful measures for enforcing the laws, and the United States Government is vested, under the Constitution, with adequate power to meet such emergencies. It may dispose of the troops and sink ships without war. After further discussion, he said he could speak for Maryland, who has confidence in the strength of the great Government who protects her.

At this point Kunkle, (Dem.,) of Indiana, interrupted: "If you speak for Maryland, I

Henry Winter Davis'
Speech.

desire to be heard;" and further said, when Davis declined to yield the floor,

"I deny the right of the gentleman to speak for Maryland; let him speak for himself only."

Davis replied: "I represent here the Fourth Congressional District of Maryland only; but though I am not elected by the State of Maryland, I am entitled to speak what *I know* to be the sentiments of Maryland." Great applause followed this forcible expression, both on the floor and in the galleries. Objections were made to these demonstrations, which Mr. Davis begged might be discontinued. He proceeded only again to be interrupted by Kunkle. Resuming, he repeated, that Maryland did not recognize the right of secession—did not recognize any right to repeal or abrogate the supreme law. Should any Convention be called, of whatever character, and under whatever auspices, those who should presume to inaugurate a revolution would meet with revolutionary resistance on the soil of Maryland under the Stars and Stripes. They will not allow either the majority or the minority to drag them from the Union. Within Maryland are men who will assume resistance to anything looking to armed rebellion. He concluded, detailing the causes which had called the Republican party into existence, and had given it the great popular sympathy by which it was enabled to attain to power; saying:

"That result is now becoming the starting-point of new agitation—the demand of new rights and new guarantees. The claim to access to the Territories was followed by the claim to Congressional *protection*; and that is now followed by the hitherto unheard-of claim to a *constitutional amendment*, establishing Slavery not merely in the Territory now held, but all hereafter to be obtained from the line of 36 deg. 30 min. to Cape Horn; while there is foreshadowed in the distance the claim of the right of transit and the placing of property in slaves in all respects on the footing of other property—to become topics of future agitation. How long the prohibition of the importation of slaves will be executed under the doctrine of 'equality,' it needs no prophet to tell.

"In the face of this recital let the imputation of autocratic and tyrannical aspirations cease to be cast on the people of the Free States; let the

Southern people dismiss their fears, return to their friendly confidence in their fellow-citizens of the North, and accept as pledges of returning peace the salutary amendments of the law and the Constitution offered as the first-fruits of reconciliation."

This speech, coming from a member representing a Slave constituency, was as gratifying to the Republicans as it was provoking to their enemies. Like the words of Andrew Johnson, of Emerson Etheridge, Sherrard Clemens, and John A. Gilmer—all "Southern men," in the proper sense of the word—it served to brush away the mountain of falsehood and misrepresentation which the Disunionists had built around them as a defensive barrier, and proved to the world that, in that time of political demoralization, there were a few noble spirits, too incorruptible to be bought, too brave to be overawed—loyal, while all others were disloyal. Their words had only too little circulation among their own people, for it was a part of the game of revolution not to allow the people to hear their own representatives, where their eloquence and wisdom were directed against the secession movement. [See page 287, "*résumé.*"]

The Anti-Compromise
Sentiment

Mr. Sedgwick, (Rep.) of
New York, followed Davis,
in a strong anti-Compromise

speech—adding, to those already made by Van Wyck, Conkling, and Pottle, to the growing strength of the Empire State against the proposed measures of conciliation—all of which expressly stipulated the giving of more area to slave representation. A permanent union between the Slave and Free States he considered a failure, and he would consent that the Slave States should form a Confederacy by themselves, and would provide for the gradual emancipation of the slaves in States which might remain with the North. His amendment of the Constitution would be to provide for the emancipation of every slave. This speech was not from an "ultra." The gentleman's views seemed to spring from the unparalleled exigencies of the times. As Slavery had been the cause, he would cure the disease by striking at its provocation. Mr. Sedgwick represented a rapidly growing public sentiment, which, since old landmarks were to be obliterated by the revolutionists, was to make itself felt.

No longer controlled by those motives of State policy which had, since 1820, kept down the anti-Slavery feeling, vast numbers of those who had been regarded as "conservative" now began to look forward to an abolishment of Slavery as the surest and wisest remedy for the evils under which the country was suffering. The South, by its mad and impolitic course, had alienated tens of thousands in the North who had, for years, stood as a barrier against the "Abolitionists." It had, by its daring attempt to prostrate the Government, and to trample the Constitution under foot, aroused animosities, awakened prejudices, excited resolves which a generation will scarcely suffice to obliterate.

Vallandigham, (Dem.,) of
Ohio, offered propositions
to amend the Constitution

A Novel Scheme of
Compromise.

of such a preposterous nature as rendered them among the most curious of all schemes of settlement proposed. A digest of his most un-democratic and impracticable idea may thus be stated:

"The United States to be divided into four sections—the New England and Middle States to constitute one, the North-western States another, the Pacific States another, and the Southern States east of the Rio Grande another—these sections to be called respectively the North, the West, the Pacific, and the South; new States within the prescribed limits of each section to be a part of such section; the latitude of thirty degrees and thirty minutes to the Rocky Mountains to be the line between the West and South. On the demand of one-third of the Senators of any section, a vote upon anything requiring the concurrence of the House, if necessary, shall be had by sections, and a majority of the Senators from each section shall be necessary to the passage of a measure. Two of the electors for President and Vice-President shall be chosen for each State; the other electors in each State to be chosen by the Congressional District; a majority of the electors in each section to be necessary to the choice of President and Vice-President, and a majority of the States of each section, shall be necessary to the choice of President and Vice-President, in the House or Senate, whenever the right, of choice devolves upon them; the term of President and Vice-President to be six years, and they are to be ineligible for a second term, except by the votes of two-thirds of the electors of each section. Congress is to provide by law for the case of a failure of the House to choose a President, and of the Senate to choose a Vice-President; and also, in such case, for a spe-

cial election within six months from the 4th of March. No State shall secede without consent of the Legislatures of all the States of the section to which it belongs. The President is to have the power to adjust the terms with the Seceding States, and the terms are not to be valid till approved by Congress. Neither Congress nor a Territorial Legislature is to interfere with migration on equal terms of the citizens of the several sections, nor shall either have the power to destroy or impair the rights of person and property in the Territories. New States are to be admitted with any Constitution, Republican in form, which the people thereof ordain."

Sickles, of New York, asked leave to introduce a resolution, calling on the Secretary of the Treasury to inform the House whether the duties on imports continue to be collected in the ports of South Carolina, Georgia, Alabama, Louisiana, and Florida. Craige, (Dem.,) of North Carolina, objected. Sickles said this was the only reliable mode of obtaining correct information. He gave notice to offer the resolution on Monday.

At the evening session, Thursday, of the House, speeches were made by Messrs. Leach, (Am.,) of North Carolina; Junkin, (Rep.,) of Pennsylvania; Allen, (Dem.,) of Ohio; Carey, (Rep.,) of Ohio. They spoke to the shadows, apparently—so unpopular were the evening sessions, that members could not be constrained to attend. The views of the North Carolina member were favorable to the Union. He made an earnest appeal for constitutional guarantees. Junkin favored the propositions of the Committee, believing they virtually restored the Missouri Compromise of Henry Clay. Allen took strong ground against secession and revolution. Carey spoke of secession as being thick with the blackest treason. Leave the present difficulties to the people, and there will be a better settlement than by attempting to legislate on the subject. If the men of the Border State would talk like his friend Davis, of Maryland, it would not be two weeks before the traitors would tremble in their shoes.

In the Senate, Thursday, (February 7th,) Wigfall made his promised rejoinder to Andrew Johnson. Prior to his use of the floor, Thompson, (Dem.,) of New Jersey, reintroduced the New Jersey State Resolutions, which Ten Eyck had already laid be-

fore the Senate. [See page 308.] He (Thompson) said he entirely dissented from the views of his colleague. He contended that the instructions in the resolutions were the real views of a majority of the people of his State, and that a State had a right to instruct her Senators, who should obey or resign. He was very much surprised at the course of his colleague. He thought the people of New Jersey never more in earnest than they are now in the opinion that the South has cause for complaint, and that some guarantees should be given it. Yet he must say that the course of the South, in seizing the forts, arsenals, &c., had done much to weaken kindly feeling in the Northern States. Nothing was more fatal than the doctrine of secession. If admitted, the Government must fall to pieces. He said a portion of his colleague's speech looked to coercion, but the coercion of States was an equally fatal doctrine. The Union could not be preserved by blows and bloodshed. He deprecated civil war, and made an appeal to save the Union by concessions on both sides.

Ten Eyck replied, contending that the resolutions did *not* express the calm feeling of the people as shown by the votes of the recent election, but the resolutions were rushed through the Senate of New Jersey when four members were sick. The men appointed under that resolution [see page 251] did *not* represent the feeling of the State.

Collamer, (Rep.,) of Vermont, presented a petition from citizens of his State, asking Congress to adopt an amendment to the Constitution similar to the Border States proposition. He said he was willing to do all in the power of Congress, but not anything which was not allowed by the Constitution, which says that Congress may propose amendments to be submitted to the States; and, further, if States want amendments let them say so by convention, and Congress must agree. If the States call such Convention and adopt amendments, Congress must send them to the States for ratification. But does the Government need more delegated power? No. He contended that the provision of the Constitution was perfectly plain, but none of the complaining States

Judge Collamer's
Views.

The New Jersey Resolutions again

have taken any means to secure amendments in a constitutional way, yet Congress was asked to make amendments which somebody conjectures the States need! He never would attempt to make any such amendments, which none of the States, he said, wanted. Suppose two or three States present amendments, asking Congress to submit them to the States. In his judgment, Congress could not pass on the merits of such amendments, but present them to the States as the request of certain States. He quoted, as a precedent, the former amendments made in 1789, when Congress took the same course. His views would govern his votes.

Mr. Wigfall's Fourteenth Speech.

The consideration of the President's Message being resumed, Mr. Wigfall, in his own peculiar rhetoric and originality of manner answered Andrew Johnson. The Senator from Tennessee seemed to think that he had once, on a former occasion, made a great argument, and had, in consequence, been the subject of special attacks. Wigfall did not believe either—both were hallucinations of the Senator's heated imagination. The Senator also seemed to think Benjamin's farewell was a farce, but Wigfall thought it was the most serious farce ever witnessed on that floor. He then alluded to Johnson's argument on the Government's right of purchase in Louisiana. Referring to the treaty of cession, he contended that Johnson did not give it a fair construction; and so in regard to the admission of Alabama. A monstrous perversion of the doctrines of Jackson and nationalism had been made by the Black Republicans. He read from a number of documents to show that Jackson considered this Government as "a compact of States." He then argued against the right of coercion, and said that any attempt to force the laws upon individuals in a State was the same thing as the coercion of a State, and would bring on a civil war. He contended that Jefferson and Jackson had avowed the right of secession, and he read copious extracts from their writings and speeches to sustain this position. He claimed that Madison understood that States could, at any time, renounce the Constitution, and such was the understanding of most of the States when they ratified the

Constitution. He denied that the Breckenridge party ever intended to break up the Union, but they demanded that the property of the Southern States should be protected. Six States thought it not safe to remain in the Union, when two millions of people in the North had voted that their property ought to be confiscated. They might talk about the Helper book, but Helper had never uttered anything so slanderous against the South as the sentiments uttered by a Southern Senator on this floor. What Black Republican ally had told the Senator that the South wanted to make war on Mexico? It was a slander. They have enough to do to take care of themselves. Mr. Wigfall then paid a high and eloquent tribute to the Senator from Mississippi, (Davis.) The Senator from Tennessee had attacked him (Davis) in his absence. If the Senator from Mississippi had been here, he would have answered the Senator from Tennessee: "Lord Angus, thou hast lied!"

This expression created an outburst of laughter and noise in the gallery, which caused the Sergeant-at-Arms to clear it. Wigfall proceeded, assuming that the South had no purpose or desire to make war, but that it intended to live under such a Government as it saw fit. Six States had gone out because they chose to do so, and had revoked the treaty called the Constitution, though they might be willing to make another. He claimed that the South had a mine of wealth in cotton, and gave a picture of the destroyed commerce of the North if the ports are blockaded, which will be considered an act of war. A vessel with a flag of thirty-three stars will be fired on in a Southern port. Carrying the flag with the stars which they have plucked thence will be considered an insult. If the North wants war it can have it—he did not plead for peace. The remaining portion of his speech was exceedingly violent and personal on Mr. Johnson.

In the Senate, Friday and Saturday, nothing transpired pertinent to our subject. In the House, Friday, Kellogg, of Illinois, supported his resolutions, [see page 310,] in a long speech. He said that parties and platforms must all be discarded—that all men must combine to save the Union. He argued

in support of his propositions as the best remedy offered, and declared himself for the whole Union.

Messrs. Smith, of North Carolina, and Hatton, of Tennessee, both made Union speeches, the latter assuming the ground occupied by Andrew Johnson.

In the House, Saturday, John Cochrane, (Dem.,) of New York, offered a resolution directing the Secretary of the Treasury to inform the House whether any, and what, information has been received by the department relative to the recent alleged seizure of New York vessels at the port of Savannah, and if seized, by whom, and by what authority.

Ruled out by the objection of Holman, (Dem.,) of Indiana.

Corwin moved to extend
Corwin's Motion. the time for taking a final
vote on his propositions, in

order to give gentlemen an opportunity to express themselves, as well as to await the action of the "Peace Convention," which might enable the House to come to a better conclusion. The time was extended after much disagreement, when Hutchins, (Rep.,) of Ohio, at some length, gave his exposition of views on the crisis. He deemed the movement of the Slave States as causeless and wicked as the revolt of the angels in heaven. The remedies proposed he pronounced futile for good. Corwin's proposition to amend the Constitution was opposed to the spirit of the age. The Crittenden proposition, he said, the Free States would reject. He referred to the history of compromises upon the Slavery question, contending that they were worthless as final settlements. The only settlement that could be permanent was one founded on truth and justice. The verdict of the American people had been fairly obtained, and a judgment should be rendered upon it. This was not a partisan view of the case, but all who are really for the Union could stand upon it, and they must stand upon it in the end. He could act with all who stood for the Union, and in so doing he did not necessarily adopt their views upon the Slavery or other questions. It was unwise to tamper with the organic law at the present time; but propositions to amend the Constitution, originating in States or in Con-

gress, were entitled to respectful consideration at any time, when not coupled with the threat to dissolve the Union if not granted. The love of the Union was too strong in the affections of the people of all sections to allow a wide-spread conspiracy to destroy it to prevail.

A very exciting running debate sprung up between Messrs. Cox, (Dem.,) of Ohio, and Hutchins and Stanton in regard to personal matters. Mr. Cox charged Mr. Hutchins and his sympathizers with being inimical to the Union, because of their extreme tenacity on anti-slavery issues, and arraigned Mr. Hutchins very sharply for his (Hutchins') attack upon Mr. Corwin. Mr. Cox charged that the Ohio Supreme Court had colluded with Governor Dennison to nullify the Fugitive Slave law and to shield abolition criminals from justice. Hutchins responded, saying Mr. Cox would preserve the Union if he could do so by exciting prejudices against the Republican party. It was hardly fair to add fuel to the flame of Southern excitement, if it was the object of his colleague to preserve rather than destroy the Union. Cox retorted. His colleague was for the Union, if there was power to crush out Slavery in the States or Territories, and only in this case; but he (Cox) was for the Union, without qualification or condition, and daring all hazards.

Simms, (Dem.,) of Kentucky, addressed the House
Simms' Address. in a very able argument, leveled chiefly at the Republican party, whom he regarded as the chief cause of all the present trouble — *they* were the chief conspirators against the liberties of the country. He averred that there had been no time since the commencement of the session that the Republicans could not have saved the country. He advocated the plan of Senator Crittenden, which simply proposed to incorporate in the Constitution the decision of the Supreme Court in the Dred Scott case, and give to the South the Territory south of the line 36 deg. 30 min., and the Chicago Platform north of it. Why would not the Republicans take this? Of the position of his own State he said:

"Sir, you may make the experiment, but you can never conquer the South. Their ten million proud, free-born necks were never made to wear the yoke

of any mortal power or foe against their will.* You can conquer them by justice, and not by injustice and the sword. From the first drop of blood shed upon Southern soil by armed soldiery, in a war so unjust and unholy as the one you are seeking to

* Mr. Simms, like all Southern economists, during this winter's discussion, spoke widely of the fact in his citations of the numbers of "proud, free-born necks" in the entire Slave States. [See the tables given on pages 27-28, compiled from the census of 1860.]

provoke, would spring up, if necessary to avenge it, a million warriors. Kentucky—brave, gallant, loyal, patient Kentucky—would not hesitate nor falter when that day comes. * * She never yet has despaired of the Republic; but if you force this issue upon her and her sister States of the South, remember that in the veins of her children courses the blood of old Virginia; and with them, when the final struggle comes, she will share common dangers, common rights, common glories, a common destiny, or a common grave."

CHAPTER XXV.

THE PEACE CONVENTION. ITS PROCEEDINGS UP TO FEBRUARY 16TH. STATE OF PUBLIC SENTIMENT AT THAT DATE. CENTRALIZATION OF SENTIMENT AGAINST COMPROMISE. THE DEMOCRACY OPPOSED TO COERCION.

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THE Peace Convention assembled February 4th, in Washington, and organized by the election of John Tyler, of Virginia, as presiding officer. It was resolved, in imitation of the old Constitutional Conventions, as well as of the recent Conventions in the Southern States, to sit in secret sessions—excluding not only the public, but members of the press—a movement which most Northern members opposed, as uncalled for and unwise. The votes on propositions were to be cast by States—a majority of each delegation casting it. No action was taken until Wednesday, February 6th, the members being engaged in comparing views, to arrange, if possible, the terms of propositions likely to meet with favorable consideration. The Kentucky delegation, headed by Mr. Guthrie, held a conference, February 5th, and agreed upon the general outline of a new plan of compromise. It was not made public; but the delegation laid their statement before individual members of the Convention, to canvass its probable success.

On Wednesday, Seddon, of Virginia, presented what was understood to be the propo-

sition of his State. It simply repeated the resolutions adopted by the Legislature.

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[See page 247.] The Virginia member, in presenting the resolutions, urged the immediate favorable action of the Convention, declaring that his State would be satisfied with nothing less, and assuring the delegates that prompt and decisive action was necessary. Caleb B. Smith, of Indiana, deprecated this precipitate mode of proceeding, and thought it calculated to defeat the very object for which the Convention had been called. Messrs. Chase, Rufin, and others sustained this view; and finally, Mr. Guthrie, after a judicious and conciliatory speech, moved the reference of this and all similar propositions to a Committee of one from each State, to be selected by the different delegations. The Committee, as appointed, was constituted as follows: James Guthrie, of Kentucky, Chairman; Jas. A. Seddon, of Virginia; Reverdy Johnson, of Maryland; James Harlan, of Iowa; Stephen T. Logan, of Illinois; Caleb B. Smith, of Indiana; Thomas Ewing, of Ohio; Daniel M. Bates, of Delaware; Thomas White, of Pennsylvania; Peter D. Vroom, of New Jersey;

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Roger S. Baldwin, of Connecticut; Samuel Ames, of Rhode Island; Thomas Rufin, of North Carolina; Highland Hull, of Vermont; and Asa Fowler, of New Hampshire. Members were added for New York, Massachusetts, Missouri, and Tennessee, which States were not represented in the Convention until Friday, February 8th. The appointment of this Committee was considered an omen of settlement—the members constituting it being, generally, of the “conservative” order—those understood to favor liberal concessions for the sake of peace.

The first week closed without action on any proposition. The outside indications seemed to favor the adoption of a plan of adjustment which should at least placate the remaining loyal States; but, the indisposition of the Border Slave State delegates to include the Seceded States in the compromise served to foreshadow but a partial settlement at most. The North, if it must compromise by conceding the right of property in slaves under the Constitution, and by consecrating to Slavery all the Territory south of the old Missouri Compromise line, had no design of making those concessions except they were accepted as a settlement of the entire question, and would restore the *status quo* of the Union. The Southern members declined the responsibility of speaking for the revolutionary States; hence, the hopes which had sprung up in some quarters—feared by the disunionists, and hoped for by their opponents—of an early and final adjustment, were not strengthened by the attitude of affairs at the close of the first week. So anxious did the Virginians feel in the proceedings of the Convention, that Governor Letcher, and a number of the most influential members of the Virginia Legislature, visited Washington during the week, to lend their aid to the work of adjustment. The voice of Virginia at the polls, February 4th, was for Union if compromise could be secured and the “rights of the South” guaranteed; and the Governor but answered the wish of the people in seeking to secure the terms demanded. That he was anxious to save his State from revolution was apparent; but, it was equally apparent that he was powerless

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before the predetermined secessionists, who had secured a Convention, and, having secured it, would control it.

The Committee of One from each State held a session of four and a half hours on Saturday. It voted down the motion by David Dudley Field, the New York member, namely: that no action was necessary on the Territorial question. Monday (February 11th) was consumed in considering the several propositions submitted, and in deciding upon the order of their consideration. Tuesday morning a test of sentiment was made by the introduction, by Reverdy Johnson, of a resolution which, in a slightly amended form, passed by a vote of 10 to 9: Iowa and Massachusetts not being represented. It read, as adopted:

“Congress shall have no power to legislate upon the subject of servitude anywhere, except to perform its duties under the Constitution in respect to fugitives from service or labor, and to suppress the foreign slave-trade; nor shall any Territorial Government have power to sanction or protect involuntary servitude in any Territory north of the southern boundary of Kansas and the northern boundary of New Mexico; nor to prohibit, or impair, or affect the holding of persons to service or labor in any Territory south of said line, in the same manner as such persons were so held and protected under the laws of the State or Territory from which they were removed.”

It was understood that several who voted in the negative would accept it as a finality, if nothing better were to be obtained.

Wednesday and Thursday the Kentucky propositions were considered, and the session being prolonged into the evening of the latter day, the Kentucky or Guthrie proposition was, by a vote of 12 to 11, adopted. Its provisions were, in substance:

“All Territory of the United States shall be divided by a line from east to west on the parallel of 36 deg. 30 min. north latitude; in all Territory north of that line involuntary servitude, except as punishment of crime, is prohibited while it shall belong to the United States, or be under a Territorial Government; in all Territory south of said line involuntary servitude is recognized as it exists in the Southern States of the Union, while such Territory shall belong to the United States, or be under the Territorial Government; neither Congress nor the Terri-

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torial Government shall have
power to hinder or prevent
emigrants to said Territory

from taking with them persons held to labor or involuntary servitude, according to the laws and usages of the State from which such persons may be taken, nor to impair the right arising out of such relation, and be subject to judicial cognizance. It also provided that States formed from the territory either north or south of the proposed line shall be admitted into the Union on an equal footing with the original States, with or without involuntary servitude or labor, as their Constitutions may provide. Also, that Congress shall not have the power to establish Slavery in any State, or in the District of Columbia, without the consent of Maryland and Virginia. The African slave-trade was forever to be prohibited, and the fourth Article of the Constitution was not to be construed to prevent any of the States from the enforcement of the Fugitive Slave law. And, lastly, it provided that no Territory shall be henceforth acquired without the consent of three-fourths of the Senate."

This proposition was submitted to the action of the Convention Friday morning, when Seddon, of Virginia, (understood to represent the Hunter faction,) offered the Crittenden resolution on behalf of the minority, with the amendments of the Virginia Legislature. Messrs. Dudley Field, Baldwin, and Crowningshield stated verbally that they disagreed with those reports. An early adjournment was had, for members to consult with their several Congressional delegations prior to voting on the question.

Saturday's session was one of earnest debate. Baldwin, of Connecticut, moved to substitute for the proposition of the Committee his resolution for a National Convention. This he supported in an able speech. He believed that no other measure would meet with the approbation of the two Houses of Congress. Mr. Guthrie, with much earnestness and power, opposed Mr. Baldwin's substitute, and advocated the report of the Committee. He urged upon the Convention speedy action. There was no time to be lost. If the Convention really intended to adopt measures which would restore peace and good brotherhood between the States, they ought to do so at once. He animadverted, with much severity, upon the refusal of Congress to meet the exigency, and the

absence of sagacity, in not proposing some remedy, while the Union was crumbling to pieces.

Mr. Curtis, of Iowa, answered this reference to Congress with much decision, saying that it was a deliberative body, and had a right to consider *all* propositions submitted calmly. He believed there had been an organized conspiracy to break up the Government, and that no compromise here could have prevented it. He inquired of Mr. Guthrie whether he thought even his own plan would have arrested that movement? Guthrie answered, that it would have saved some of the States. Curtis then examined Mr. Guthrie's scheme, and demonstrated that its purpose was to establish and protect Slavery in future acquisitions of Territory by an artful use of language, and to that the people of the North would never consent. They were pledged against it, and would not surrender their principles, but intended no aggression on the rights of the South.

This firm attitude of the Republican member excited no little commotion, particularly as he had insinuated that deception was designed in the clause regarding the Territorial question. It was contended by several, among whom was Reverdy Johnson, that it not only applied to present Territories, but to future acquisitions also, and, with that view, he (Johnson) should move an amendment, so as to exclude Territory hereafter to be acquired.

No vote was taken, and the week's proceedings closed without any advance having been made.

Pending these events, (February 1st-15th,) the state of the country was calculated to create renewed anxiety for the future. The anti-compromise spirit of the Northern States became more developed with each day's proceedings of Congress, and with every arrival of news from the Southern Confederacy. In the breasts of a large class, a feeling akin to rancor was becoming apparent; while the vast majority of Northern men unquestionably were opposed to any settlement which did not imply the power forever to prevent a recurrence of the revolu-

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Anti-Compromise
Sentiment Growing.

Anti-Compromise
Sentiment Growing.

tion against the General Government. A leading article in the Springfield (Ill.)

Journal, understood to speak for Mr. Lincoln, in its issue of February 6th, laid down the "terms" upon which the new Administration would treat with the revolutionists. It said:

"The telegraph tells us to-day that South Carolina has determined to attack the noble Anderson, if Government does not surrender Fort Sumter to the traitors! Away with compromises at an hour like this! Let us first establish the fact that we have a Government—a Government able to protect itself and punish treason. We should not talk about compromise while the flag of the traitors floats over an American fort, and the flag of our country trails in the dust. Until that flag is unfurled over Moultrie, and every other stolen fort, arsenal, custom-house, and navy-yard—until the laws of this Government are obeyed, and its authority recognized, let us never talk about compromise. Concession! Yes, we want concession. We ask no man to yield up his conscience, his manhood, or his honor. The Border States tell us that they are devoted to the Union and the Constitution. We ask them, then, to concede that the one shall stand and the other be obeyed. We are asked to concede that Slavery shall go into the Territories by authority of this Government. Before we talk of such a thing we want it settled that we *have* a Government. Before compromise of any kind is made, or even talked about, on the subject of Slavery, we want to see the rightful authority of this Government recognized and respected. Let the stolen forts, arsenals, and navy-yards be restored to the rightful owner—tear down your Rattlesnake and Pelican flag, and run up the ever-glorious Stars and Stripes—disperse your traitorous mobs, and let every man return to his duty. Then come to us with your list of grievances."

While, in regard to the probable course of action to be pursued by the incoming Administration, it said:

"It is the duty of this Government to retake its stolen forts, and other property wrongfully withheld. In the performance of it, no more force will be used than is necessary. Forceful resistance will be met, and, if possible, overcome. The Government will collect its revenue, using just so much force as may be necessary for that purpose.

"We assume that this will be the action of the Government, because it is the duty of the Government, and because an Administration is just going into power that will fearlessly and faithfully perform its whole duty.

"If individuals attack the Government in the discharge of its duty, and lose their lives

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Sentiment Growing.

thereby, can it be charged that the Government has wantonly shed 'fraternal blood?' Will any one pretend that the Government can do less than this? When the President takes a solemn oath to support the Constitution, and the Constitution declares that he shall see that the laws are faithfully executed, can he disregard that oath and suffer the laws to be trampled under foot? If treason and rebellion make it necessary to use force to execute those laws, is he not justified in using it? Is it coercing South Carolina to defend Fort Sumter against the attacks of a mob collected from South Carolina, Georgia, and other States? Is it coercing Florida to hold Fort Pickens against the mob collected to steal it? Is it coercing any of the States of this Union for the Government to take and hold possession of all its property within them? Is it coercing a State to enforce the national revenue laws? Will it be coercing South Carolina to take possession of the United States Custom-house, Armory, and other property belonging to the Federal Government? Is it coercing a State to abolish Post-offices where men cannot be found who are willing to hold them, or who will not honestly account to the Government for postage received? Coercion of a State! He who invented the expression did a good work for traitors. He raised a screen behind which sympathizers with treason might have a temporary hiding-place."

These sentiments, if not directly inspired by the President-elect, were regarded as expressing the views entertained in his circle, and went forth with the weight of authority. That they received the hearty approval of the Republican press, soon became evident from the corresponding tone of the leading papers from Maine to Kansas. The exception was in the case of Democratic papers, chiefly of the Breckenridge school. The "Democracy," as an official organization, in some instances, boldly assumed the State Rights ground, in view of covering the retreat of the Seceded States, and thus gave the Southern leaders an argument for their hope of Northern cooperation in the division of the Confederacy. The Democratic State Nominating Convention of Connecticut, February 6th, selected James C. Loomis as its candidate for Governor, and adopted resolutions in substance as follows:

"That the Union is a confederation of sovereign and independent States; that any trenching on their equality is a violation of the Constitution; that the

The Democracy favoring recession.

present condition of the country is owing to the sectional spirit of a great Northern party

denying the equality of rights; that the doctrine of coercion, instead of conciliation, is pernicious, and should be resisted, as leading to civil war, and destruction of the moral and commercial interests of the people, and will destroy the Union, and prevent its reconstruction; that the Crittenden Compromise, or something like it, will harmonize opinions; that our Senators and Representatives have failed to meet the requirements of their position; that the Personal Liberty bills should be repealed," &c., &c.

So, also, of the Michigan State Democratic Convention, February 7th. In nominating a candidate for Supreme Judge, resolutions were adopted declaring devotion to the Union, opposing coercion, and favoring compromise.

But, the drift of public sentiment threatened to overwhelm this class of temporizers. The voice of the people became too stern to doubt its purpose; and, in saying that all hopes of compromise had expired by the middle of February, we feel that the statement will bear the test of any denial which may be made. Speaking for the North-west, an influential journal of Chicago said, (February 11th:)

Anti-Compromise a Finality. "Speaking for the North-west, we bid the Reconstructionists defiance. If they want revolution, they shall have it. If they insist upon disunion, they may succeed. But they cannot improve upon, and they shall not tamper with, the Constitution which our forefathers made. Liberty with us, and with those for whom we speak, is something more than a sentiment or an idea; it is a reality—an embodied form—with whom, and for whom, we and they are willing to do battle with tyranny, in whatever form it may appear. The Constitution, as it is, is sufficient for all. That instrument which has borne such beneficent fruit in

the past, though sometimes perverted by men who have used it in oppression's cause, is

Anti-Compromise a Finality.

our lamp and our guide in the future. It is the New Testament of Freedom—the last revelation of Christian Democracy. He who sullies one of its pages by any of the amendments which are proposed, whereby the right of every man to have and own himself is denied, is an Atheist before Heaven, and a traitor before man!"

It is important, in tracing the progress of the revolution, to note carefully the gradual changes of public opinion, and the causes which led to those changes; for, in those causes are to be found at once the reasons for the conflict which followed, and the justification for it. If "conciliation" and "compromise" failed, there was a reason for it, and that reason will be found in the invincible public opinion of the North gradually brought to bear on Congress and the Peace Convention. "No compromise" soon became the paramount idea in view of the persistent attitude of hostility assumed by the Seceded States, not only in the formation of a new General Government, but in the organizations of armies with which to force the Unionists to an acceptance of the terms which the Slave States might offer. To "conciliate" and "compromise" in the face of force, was to cower before revolution. A prominent Democrat from New York said [see page 348] on the floors of Congress, "I say, in the presence of this new and last phase of the secession movement, that it can have no friends in the North, it can have no apologists in the North; but there will soon be no exception to the general denunciation which it must meet with from the loyal and patriotic citizens of this country." He but heralded the uprising which was soon to marshal its millions under the rallying-cry of "The Union, the Constitution, and the enforcement of the laws!"

CHAPTER XXVI.

GOVERNMENT'S ATTITUDE OF DEFENCE. MR. HOLT'S LETTER TO THE PRESIDENT. ARMY AND NAVY RESIGNATIONS. COM-MODORE PORTER'S PATRIOTISM. INTERESTING STATEMENT.

THE centralization of troops at Washington, Baltimore, Fortress Monroe, St. Louis, the reinforcements thrown into Pickens and the defences on the Tortugas and at Key West, gave the "friends of the South" extreme unrest. "Coercion" then became their ceaseless cry. It burdened every dispatch to the revolutionary sections, to arouse animosities, and, if possible, to concentrate the still divided sentiment of the South to the one point of "cooperation" and resistance to Federal obstructions to their demands. The Virginia election of delegates to the State Convention, held February 4th, resulted in a large "Union" majority; but, so sedulously had the poison been sown by the conspirators, that the Unionists were only pledged to the Union in event of all demands of the South being complied with. The failure of the Peace Congress was to be the signal for Virginia's secession. That she was predestined to secede, from the earliest stages of the movement, is not more evident in the hearty cooperation given to the plotters against the Government by the Virginian, Floyd, than from the attitude of her two United States Senators, Messrs. Hunter and Mason, as well as of several of her representatives in the Lower House. Though these persons refused to be identified, at first, with the secessionists, their masks soon fell away, and the Southern scheme of confederation found in them its ablest coadjutors—Virginia found in them her most inveterate enemies.

The Charleston *Mercury*, February 5th, said: "When Virginia comes to our side, she will bring with her the landward-pointing guns of Fortress Monroe and the *intrenched City of Washington*. The question, we believe, is becoming—on account of the weak position we occupy—a military one." An expression which lifted the veil and allowed the North

to look far enough into the future to read results, if the conspirators were not thwarted. To circumvent them was the purpose had in view by the War Department and General Scott in their disposition of the troops above referred to; and the enemies of the Government saw, by the middle of February, that, as the hope of forcing the North to terms of settlement died out, the ability and determination of the Administration to resist further aggressions increased. If hopes were entertained that Mr. Lincoln never would be inaugurated, they proved delusive in the face of the vigor now manifesting itself in the War and Treasury Departments, as well as in the gathering strength of the spirit of resistance in the Northern States.

The state of the defences and the feeling at the Capital, February 18th, we learn from a communication addressed by Mr. Holt to the President, on that date, in answer to the House resolution of February 11th. It read as follows:

"WAR DEPARTMENT, }
"February 18, 1861. }

"SIR—On the 11th February the House of Representatives adopted a resolution requesting the President, if not incompatible with the public interests, to communicate 'the reasons that had induced him to assemble so large a number of troops in this city, and why they are kept here; and whether he has any information of a conspiracy, upon the part of any portion of the citizens of this country, to seize upon the capital and prevent the inauguration of the President-elect.' This resolution having been submitted to this department for consideration and report, I have the honor to state that the body of troops temporarily transferred to this city is not large, as is assumed by the resolution, though it is a well-appointed corps, and admirably adapted for the preservation of the public peace. The reasons which led to their being assembled here will now be briefly stated.

Mr. Holt's Letter to
the President.

"I shall make no comment upon the origin of the revolution which, for the last three months, has been in progress in several of the Southern States, nor shall I enumerate the causes which have hastened its advancement or exasperated its temper. The scope of the question submitted by the House will be sufficiently met by dealing with the facts as they exist, irrespective of the cause from which they have proceeded. That revolution has been distinguished by a boldness and completeness of success, rarely equaled in the history of civil commotions. Its overthrow of the Federal authority has not only been sudden and widespread, but has been marked by excesses which have alarmed all, and been sources of profound humiliation to a large portion of the American people. Its history is a history of surprises, and treacheries, and ruthless spoliations. The forts of the United States have been captured and garrisoned, and hostile flags unfurled upon their ramparts. Its arsenals have been seized, and the vast amount of public arms they contained appropriated to the use of the captors, while more than half a million of dollars, found in the mint at New Orleans, has been unscrupulously applied to replenish the coffers of Louisiana. Officers in command of revenue cutters of the United States have been prevailed on to violate their trusts and surrender the property in their charge; and instead of being branded for their crimes, they, and the vessels they betrayed, have been cordially received into the service of the Seceded States. These movements were attended by yet more discouraging indications of immorality. It was generally believed that this revolution was guided and urged on by men occupying the highest positions in the public service, and, with the responsibilities of an oath to support the Constitution still resting upon their consciences, did not hesitate secretly to plan, and openly to labor for, the dismemberment of the Republic whose honors they enjoyed, and upon whose treasury they were living. As examples of evil are always more potent than those of good, this spectacle of demoralization, on the part of States and statesmen, could not fail to produce the most deplorable consequences. The discontented and the disloyal everywhere took courage; in other States adjacent to, and supposed to sympathize, in sense of political wrong, with those referred to, revolutionary schemes were set on foot, and forts and arms of the United States seized; the unchecked prevalence of the revolution, and the intoxication which its triumphs inspired, naturally suggested wilder and yet more desperate enterprises than the conquest of ungarrisoned forts or the plunder of an unguarded mint. At what time the armed occupation of Washington City became a part of the revolutionary

programme is not certainly known; more than six weeks ago the impression had already

Mr. Holt's Letter to
the President.

extensively obtained that a conspiracy for the accomplishment of this guilty purpose was in process of formation, if not fully matured. The earnest endeavors made by men known to be devoted to the revolution to hurry Virginia and Maryland out of the Union were regarded as preparatory steps for the subjugation of Washington. This plan was in entire harmony with the aim and spirit of those seeking the subversion of the Government, since no more fatal blow at its existence could be struck than the permanent and hostile possession of the seat of its power. It was in harmony, too, with the avowed designs of the revolutionists, which looked to the formation of a confederacy of all the Slave States, and necessarily to the conquest of the capital within their limits. It seemed not very indistinctly prefigured in a proclamation made upon the floor of the Senate, without qualification, if not exultantly, that the Union was already dissolved—a proclamation which, however intended, was certainly calculated to invite, on the part of men of desperate fortunes or of revolutionary States, a raid upon the capital. In view of the violence and turbulent disorders already exhibited in the South, the public mind could not reject such a scheme as at all improbable. That a belief in its existence was entertained by multitudes there can be no doubt, and this belief I fully shared. My conviction rested not only on the facts already alluded to, but upon information, some of which was of a most conclusive character, that reached the Government from many parts of the country, not merely expressing the prevalence of the opinion that such an organization had been formed, but also often furnishing the plausible grounds on which the opinion was based. Superadded to these proofs were the oft-repeated declarations of men in high political positions here, and who were known to have intimate affiliations with the revolution, if, indeed, they did not hold its reins in their hands, to the effect that Mr. Lincoln would not, or should not, be inaugurated at Washington. Such declarations from such men could not be treated as empty bluster. They were the solemn utterances of those who well understood the import of their words, and who, in the exultation of the temporary victories gained over their country's flag in the South, felt assured that events would soon give them the power to verify their predictions. Simultaneously with these prophetic warnings, a Southern journal of large circulation and influence, and which is published near the City of Washington, advocated its seizure as a possible political necessity.

"The nature and power of the testimony thus accumulated may be best estimated by the effect pro-

Mr. Holt's Letter to
the President.

duced upon the popular mind. Apprehensions for the safety of the capital were communicated from points near and remote by men unquestionably reliable and loyal. The resident population became disquieted, and the repose of many families in the city was known to be disturbed by painful anxieties. Members of Congress, too, men of calm and comprehensive views, and of undoubted fidelity to their country, frankly expressed their solicitude to the President and to this department, and formally insisted that the defences of the capital should be strengthened. With such warnings, it could not be forgotten that, had the late Secretary of War heeded the anonymous letter which he received, the tragedy at Harper's Ferry would have been avoided; nor could I fail to remember that had the early admonitions which reached here in regard to the designs of lawless men upon the forts of Charleston harbor been acted on by sending forward adequate reinforcements before the revolution begun, the disastrous political complications that ensued might not have occurred.

"Impressed by these circumstances and considerations, I earnestly besought you to allow the concentration at this city of a sufficient military force to preserve the public peace from all the dangers that seemed to threaten it. An open manifestation on the part of the Administration of a determination as well as of the ability to maintain the laws would, I was convinced, prove the surest, as also the most pacific means of baffling and dissolving any conspiracy that might have been organized. It was believed, too, that the highest and most solemn responsibility resting upon a President withdrawing from the Government, was to secure to his successor a peaceful inauguration. So deeply, in my judgment, did this duty concern the whole country and the fair fame of our institutions, that to guarantee its faithful discharge, I was persuaded no preparation could be too determined or too complete. The presence of the troops alluded to in the resolution is the result of the conclusion arrived at by yourself and Cabinet on the propositions submitted to you by this department. Already this display of life and loyalty on the part of your Administration has produced the happiest effects. Public confidence has been restored, and the feverish apprehension which it was so mortifying to contemplate has been banished. Whatever may have been the machinations of deluded, lawless men, the execution of their purposes has been suspended, if not altogether abandoned, in view of preparations which announce more impressively than words that this Administration is alike able and resolved to transfer in peace to the President-elect the authority that, under the Constitution, belongs to him. To those, if such there be, who desire the

destruction of the Republic, the presence of these troops is necessarily offensive; but those

who sincerely love our institutions cannot fail to rejoice that, by this timely precaution, they have possibly escaped the deep dishonor which they must have suffered had the Capital, like the forts and arsenals of the South, fallen into the hands of revolutionists, who have found this great Government weak only because, in the exhaustless beneficence of its spirit, it has refused to strike even in its own defence, lest it should wound the aggressors.

"I have the honor to be, very respectfully, your obedient servant,

"J. HOLT, *Secretary of War.*

"THE PRESIDENT."

The continued resignations in both army and navy excited so much distrust of both services, in the popular mind, that doubts were entertained regarding the standing of every officer who had not taken an open position. The defection of Southern men was general—the cases of Southern-born men expressing loyalty to the Government to which they owed their very education being very rare. One such exception was Commander Porter, whose reply to a proposition made by Lieutenant J. H. Hamilton, a South Carolinian, to surrender his ship, not only affords a relief to the long category of desertions of duty, but shows in its language to what an extent some of the deserting officers sought to carry their baseness. The letter deserves to be enshrined in history. It was dated from the United States ship *St. Marys*, Panama Bay, February 3d, 1861, and read in part as follows:

"You, sir, have called upon your brother officers not only to become traitors to their country, but to betray their sacred trust, and deliver up the ships under their command. This infamous appeal would, in ordinary times, be treated with the contempt it deserves. But I feel it a duty I owe to myself and brother-officers with whom I am associated to reply, and state that all under my command are true and loyal to the Stars and Stripes, and to the Constitution. My duty is plain before me. The constitutional Government of the United States has entrusted me with the command of this beautiful ship, and before I will permit any other flag to fly at her peak than the Stars and Stripes, I will fire a pistol in her magazine and blow her up. This is my answer to your infamous letter. You were one of those

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the President.

Army and Navy
Resignations.

Commander Porter's
Patriotism.

Commodore Porter's
Patriotism.

men who were retained on the active list by the late 'detestable Retiring Board.' In doing this you were endorsed as one mentally, physically and morally fit to occupy the station you hold as an officer in the Navy. And you are one of the first to prove this decision of that Board was as erroneous in your case as it was in mine, whom they 'retired from the Navy.' I was then in the deepest trouble, and I never dreamed of becoming a traitor to my country; and now that my country has recalled me to active service and intrusted me with an important command, I will not betray the trust. The Constitution of the United States defines 'treason' to be bearing arms against the United States. You have frequently heard this read on the quarter-deck of these vessels of the Navy, and yet you would persuade the gallant men of the Navy to place themselves alongside of the traitor Arnold and yourself. It has ever been the boast of the Navy that she has never had one traitor within her corps. You, sir, are the first to destroy the proud boast! Future history will place you alongside of Arnold, and you will be the first to blot the page of naval history, illuminated by the example of Decatur, Porter, Hull, Bainbridge, Jones, Caldwell, and other gallant and patriotic officers.

"You also boast of the *Star of the West*, having been driven back by the rebels of South Carolina, and relief prevented that gallant officer, Col. Anderson.

"There are in the employment of the Government sons of a gallant officer, late of the Navy, who carried on the seas the Stars and Stripes with honor to himself, and glory to his country, 'and the third within call.' Had either of them commanded the *Star of the West*, the gallant Colonel would have been relieved; and at any time the Government wants this done, it will only be necessary to send one of those sons. You, sir, have not much to boast of in driving off an unarmed steamer, commanded by a merchant captain!

"Whatever right the Southern people had under the Constitution, those States that have chosen rebellion have forfeited their rights, and the only means for them to obtain justice will be to return to their allegiance. No one, for a moment, who has been born and brought up on Southern soil can approve of the course of Northern fanatics. But, on the other hand, a true patriot will not approve of dismembering his country merely because a few fanatics on the other side have been guilty of wrong, which can be righted by legislation. To fly to revolution is to seek the very worst of evils, and the people of the United States must be aware that 'revolution is simply rapine, murder, bloodshed; that nothing but distress ever follows in its train.

"I am still in hope the good sense of all parties may cease to trust to traitors and wily politicians, and retrace their steps, and that harmony may yet be restored to my distracted country.

"W. D. PORTER,

"Commander United States Navy."

Lieutenant Berryman, in
command of the United
States steam gun-boat

Secretary of the
Navy's Weakness.

Wyandotte, lying off Fort Pickens, wrote to a Pensacola paper, after the delivery of the navy-yard and forts into the hands of the revolutionists by their commanding officers, [see page 194,] as follows: "My orders from the proper authorities of a Government I have loved and served as faithfully as I could, I still respect, and when that Government shall be dissolved by the decision of my great and noble State, (Virginia,) I hope to prove myself worthy of holding a commission, even under a Southern Confederacy."

And this man, after this declaration was published, was allowed to "resign," honorably, from the service! Mr. Toucey, though a Northern man, was a weak vessel, so far as patriotism and nerve were implied. His acceptance of resignations when arrests should have been made, did not crown his name with the "odor of excellence;" and he must live in history as an illustrious example of the misfortune which ever awaits those who act from policy rather than principle. "To serve his friends," he tainted his own fair fame with the stigma of having dealt leniently with treason and desertion.*

The revenue cutters be-
ing in the Customs' service,
were under charge of the

Secretary Dix's
No. 10.

Treasury Department. How Secretary Dix dealt with the unfaithful officers of the *Lewis Cass* and *McClelland*, surrendered at Mobile and New Orleans, [see page 199,] is a subject upon which the loyal heart will ever dwell with satisfaction. His orders to the secret agent, Hemphill Jones, dispatched to relieve Captains Morrison and Breshwood of their commands, viz., "to shoot down on the spot any man who attempted to haul down the

* The Report of the Special (House) Committee of Five, on the Secretary's conduct in this matter, (made Feb. 21st,) will be given in a future chapter.

American flag," expressed the spirit with which he regarded betrayals of trust. The cutters named having been "transferred" to the revolutionists by their commanders, were lost to the Government. Captain Morrison had the temerity to send in his resignation immediately after his act, when Mr. Dix published the following order:

"TREASURY DEPARTMENT, }
 "February 11th, 1861, }

"J. J. Morrison, of Georgia, a captain in the revenue-cutter service of the United States, late in command of the *Lewis Cass*, having, in violation of his official oath, and of his duty to the Government, surrendered his vessel to the State of Alabama, it is hereby directed that his name be stricken from the roll of the said service. By order of the President of the United States.

"JOHN A. DIX,

"Secretary of the Treasury."

Loyal Men.

The steam gunboat *Crusader* was lying at Mobile when Fort Morgan was seized. Her commander, Lieut. John N. Maffit, was notified by the authorities that he must pass over the command to one Maury, of the "Alabama Navy." His admirable reply was: "He might be overpowered, but, in that event, what was left of the *Crusader* would not be worth taking." And his vessel was not "seized." She sailed to Key West and the Tortugas, and rendered Capt. Meigs valuable assistance in transporting heavy ordnance to the fort at the latter station, where Major Arnold was in command; while the gallant Capt. Brannon, of Chapultepec memory, held command at Key West. With these incorruptible men in charge, those most

important "Keys to the Gulf" were rendered secure—much to the chagrin of the Confederate authorities, who deemed their conquest, and that of Fort Pickens, necessary to their independence. The country will love to honor the brave men who preserved their loyalty in the midst of the temptations and trials which beset them; while it surely will never cease to execrate the memory of those who proved unfaithful to the country, to their honor, and to their own best interests.

NOTE.—As a matter of information we may subjoin the following table of the share each

Interesting Statement.

State had in officering the navy, from 1800 to 1860. The table includes no officer below the rank of Acting Midshipman:

Virginia.....	210	Vermont.....	19
Maryland.....	125	Delaware.....	17
South Carolina....	33	Missouri.....	8
Louisiana.....	18	Mississippi.....	9
New Jersey.....	50	Michigan.....	7
Kentucky.....	17	Dist. Columbia....	53
Florida.....	7	New York.....	216
Alabama.....	10	North Carolina....	42
Iowa.....	5	Maine.....	36
Wisconsin.....	5	Georgia.....	23
Pennsylvania.....	205	Rhode Island.....	13
Connecticut.....	50	Ohio.....	29
Massachusetts.....	97	Indiana.....	13
Tennessee.....	22	Illinois.....	7
New Hampshire....	24	Arkansas.....	2

During the same period a number of foreigners also held commissions, as follows:

West Indies.....	3	Wales.....	2
Ireland.....	11	South America.....	2
England.....	8	Greece.....	2

As a singular fact, it may be stated that all Professors of Mathematics (with one exception) were Northern men, as also were all the Chaplains! [See pages 116-17.]

CHAPTER XXVII.

THE CEREMONY OF PRESIDENT-MAKING. COUNTING THE ELECTORAL VOTE. GRAPHIC PICTURE OF THE OCCASION, AND OF ITS NOTABILITIES. THE ELECTORAL VOTE.

The Occasion.

ONE of the few interesting ceremonials connected with the installation of the Executive, Legislative, and Judicial Departments of our Democratic Government, is that of counting the Electoral votes for President and Vice-President of the United States. The occasion usually attracts a large concourse to the Hall of the Lower House; and, although but a mere form of procedure, is invested with a weighty interest, since that form is a requisite of legalization of the election, and a necessary preliminary to the inauguration of the Chief Magistrate of the Union.

The excitement reigning in the country rendered the occasion of February 13th, 1861, of more than ordinary interest. So many wild rumors had been afloat respecting the loss of the electoral votes—the refusal of the Vice-President to declare the vote—the withholding of the ballots of all the Southern States—the use of violence to prevent the counting; and so many threats had been reported, of violence to Mr. Lincoln's person—then on his progress towards the Capital—that the occasion referred to was invested with more than the usual importance. A description of the ceremonial, as well as of the special features of that particular event, will not be out of place at this point of our narrative.

The Gathering of
the Crowd.

As early as ten o'clock on the morning of Wednesday, February 15th, the great crowd set in toward the Capitol. It swarmed into the Hall of Representatives, filling galleries, lobbies, cloak-rooms, and passages, while the floor of the Chamber itself was graced by the presence of distinguished persons. It was a "representative" crowd, embracing the intellect and beauty of many of the States. "Scattered here and there,

on the floor and in the galleries, were some of the baffled conspirators, who, but for the premature explosion of their plot, and the presence in the Capital of the peerless artillery that won the field of Buena Vista, would to-day have held high revel of riot, and, if need be, bloodshed, in the two Houses of Congress, and prevented, by force, the declaration, according to the formula of the Constitution, of the election of Lincoln and Hamlin."

At twelve o'clock Speaker Pennington called the House to order, when

The Prayer.

the Chaplain, Reverend Thomas Stockton, pronounced an eloquent and impressive prayer, in which he said:

"Bless the outgoing Administration; may it close its labors in peace, without further violence, and without any stain of blood. And we pray for the incoming Administration; that Thy blessing may rest on the President-elect in his journey hitherward; that Thy good Providence may be around him day and night, guarding and guiding him at every step; and we pray that he may be peacefully and happily inaugurated, and afterwards, by pure, wise, and prudent counsels, that he may administer the Government in such a manner as that Thy name may be glorified, and the welfare of the people, in all their relations, be advanced, and that our example of civil and religious liberty be followed in all the world."

On motion of Washburne, of Illinois, a message was sent to the Senate, informing the Senators that the House

Advent of the
Senators.

was now waiting to receive them, so that, in a joint body, the Electoral votes for President and Vice-President might be opened, and the result announced.

After a short interval the Senators, preceded by their officers, were announced.

The members of the House immediately

rose and remained standing, till the Senators took seats in a semicircular range, in front of the Clerk's desk.

Vice-President Breckenridge was conducted to the right of the Speaker, and the Tellers, viz., Senator Trumbull and Representatives Washburne, of Illinois, and Phelps, of Missouri, took seats at the Clerk's desk.

When order was restored, Vice-President Breckenridge arose and said: "We have assembled, pursuant to the Constitution, in order that the electoral votes may be counted, and the result declared, for President and Vice-President, for the term commencing on the 4th of March, 1861; and it is made my duty, under the Constitution, to open the certificates of election in the presence of the two Houses. And I now proceed to the performance of that duty.

Vice-President Breckenridge then opened the package containing the electoral vote of Maine, and handed it to the Tellers, when the certificate thereof was read, the Secretary of the Senate making a note thereof.

The electoral votes of New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, and New York were similarly disposed of, when Senator Douglas suggested, and no objection was made, that the formal part of the certificates and the names of the electors be omitted from the reading, which was done.

The view from the Reporters' gallery, at this moment, was particularly pleasing. The galleries, "glittering with the gay," looked down upon the legislators below, to study the scene there presented, of the men who held the nation's fortune in their keeping. The person of each particular "great one" was pointed out, to be, for the moment, the object of opera-glass scrutiny and special remark. Men, in groups, canvassed the events of the day and of the moment with an earnestness quite in consonance with the solemn destiny which seemed to hang over all. Probably the country never before saw so many of its eminent sons gathered at the Capitol to devote their influence to their country's good. All were assembled in the gallery on the momentous occasion, and, for a brief period, were quite

as much the centre of observation as the Senators below.

Of the personality of that assemblage of legislative wit and wisdom several of the reporters present gave graphic sketches. One, by the New York *Herald* correspondent, we may reproduce, as embodying a clear and admirably conceived picture of the men and their manners:—"Directly in front of us, and facing the Vice-President of the United States, whose duty it is to declare the result of the vote, is Stephen A. Douglas, of Illinois, the rival democratic candidate for the Presidency with the said Vice-President of the United States, John C. Breckenridge, of Kentucky. To the right of Judge Douglas—for he is at once the centre of all eyes as well as seated in the centre of the semicircle forming the area in front of the Speaker's chair—is the Premier of the incoming Administration, William H. Seward. To Douglas' left is the late candidate for Vice-President on the opposing Democratic ticket, General Joseph Lane. Beside Seward, to his right, is Senator Cameron, of Pennsylvania, and their familiar and easy manner towards each other is believed to be indicative of their warm and intimate relation—political as well as personal. Sweeping around a gentle curve, still to the right, facing the chair, are Senators Solomon Foot, of Vermont; J. R. Doolittle, of Wisconsin; J. W. Grimes, of Iowa; and snugly beside each other are Senators Daniel Clark, of New Hampshire, and Charles Sumner, of Massachusetts, who is looking quietly on, apparently indifferent, as if he felt that his hour of triumph had arrived in the election of a Republican President, and nothing more was at this time to be done; and just behind these twain we catch a glimpse of the bushy gray head of the unwearied Senator from Rhode Island, Hon. J. F. Simmons. We try to see who there are to his right, but the compact crowd prevents us, and we turn our glance to the left of our starting-point—Judge Douglas—and find in close proximity, calm as a June morning, the erudite Judge Collamer, Senator from Vermont; the brilliant-minded and silver-tongued Fessenden, of Maine; the industrious and able Powell,

Life Photographs.

View from the
Gallery.

Life Photographs. of Kentucky; the clear-headed Fitch, of Indiana; the go-a-head and self-willed Ten Eyck, of New Jersey; and beside him, in 'deep contemplation profoundly wrapt,' is the new Senator from 'away down East,' Morrill, of Maine. Hard by, looking as if he did not have more than his share of care on his mind, is K. S. Bingham, of Michigan. In the second circle of seats is to be noticed the patriotic and self-sacrificing, Union-loving and incessant and indefatigable laborer for his whole country, the venerable Senator from Kentucky, John J. Crittenden. And now to the right and left we have Senator Pearce, of Maryland; Senator Andrew Johnson, of Tennessee, in confidential confab with the spirited and talented Etheridge, of the same State, member of the House. And then there is Senator Baker, of Oregon, looking a little more gray and bald than he did twenty-five years ago, when he and Col. John J. Hardin—good man—used to crack jokes together in Jacksonville, Ill. The worthy Senator is even looking a little more bald than when he first came to Washington this session, having probably worn a good deal of his hair off in rubbing through the Pacific Railroad bill, of which great project he is a firm and steadfast friend. That queer, rough, but intelligent-looking man with Baker is old Wade—old Senator Ben. Wade, of Ohio, who don't care a pinch of snuff whether people like what he says or not. He is a patriot who believes that he could pass the gates of St. Peter, whether he was entitled to or not, if he was only wrapped in the American flag. And near Wade are Senators Bigler, of Pennsylvania, and Bragg, of North Carolina. The former bears the same steady, careful, thoughtful front he usually presents. Near them are Anthony, of Rhode Island, and Foster, of Connecticut. And not far off you see the smooth face and marble brow of Senator Wilson, of Massachusetts, together with the honest features and sturdy frame of Chandler, of Michigan. And here you may be induced to inquire, 'Who is that burly-framed individual talking to Representative Spaulding, of New York?' 'Do you mean him with the Atlas shoulders?' 'No; he can't be an *Atlas*

man, I think—not the Albany *Atlas*, at any rate, for those men have not that amount of girth.' 'Ah! I see who you mean. That is Preston King, of New York, who has as much weight in the Senate, and probably will have as much in the next Administration, as "any other man."' And then come before your vision the faces of Senators Rice, of Minnesota, and Latham, of California. They seem to take quite an interest in the proceedings as the electoral vote of the different States is declared. Near them sits Senator Hale, of New Hampshire, who is in a quiet way talking to Representative Hamilton, of Texas. They pause in their conversation to hear Representative Phelps declare the vote of Illinois. It goes for Lincoln. Douglas smiles faintly but good-humoredly, and twitches his cane closer between his legs. Lane, still sitting beside Douglas, does not want to hear how his State (Oregon) has gone—he has heard that before, probably, and proposes to leave. 'No, no, General,' says Douglas, laying his hand pleasantly on Lane, 'you have heard how my State has gone, now listen to how yours has.' Lane subsided into his seat again, and shortly after enjoyed the satisfaction of seeing the leading candidate on his ticket (Breckenridge) blush, when Senator Trumbull—who alternated with Mr. Phelps in announcing the vote—declared that even his State—his beloved Kentucky—had gone against her favorite son. It is a somewhat remarkable fact that not one of the States to which two of the Presidential and one of the Vice-Presidential candidates belong, and who were present at the counting of the votes, cast its electoral vote for either. Douglas lost Illinois, Breckenridge Kentucky, and Lane Oregon."

The reading of the vote of South Carolina was productive of good-humored excitement, and the comments which followed were anything but flattering to the little State with large aspirations.

The reading of all the electoral votes having been completed, the Tellers reported the result, which we give in tabular form, viz.:

Life Photographs.

The Electoral Vote.

ELECTORAL VOTE FOR PRESIDENT.

LINCOLN.	BRECKENRIDGE.	BELL.
California..... 4	Alabama..... 9	Kentucky.....12
Connecticut... 6	Arkansas..... 4	Tennessee.....12
Illinois.....11	Delaware.... 3	Virginia.....15
Indiana.....13	Florida..... 3	—
Iowa..... 4	Georgia.....10	Total.....39
Maine..... 8	Louisiana.... 6	
Massachusetts13	Maryland.... 8	
Michigan..... 6	Mississippi... 7	DOUGLAS.
Minnesota... 4	N. Carolina...10	Missouri..... 9
N. Hampshire. 5	S. Carolina... 8	New Jersey.. 3
New Jersey... 4	Texas..... 4	—
New York...35	—	Total.....12
Ohio.....23	Total.....72	
Oregon..... 3		
Pennsylvania..27	For Lincoln and Hamlin....180	
Rhode Island. 4	For Breckenridge and Lane... 72	
Vermont..... 5	For Bell and Everett..... 39	
Wisconsin.... 5	For Douglas and Johnson.... 12	
Total..... 180	Total.....303	
Lincoln's majority over all..... 57		

Whereupon the Vice-President, rising, said :
“ Abraham Lincoln, of Illi-

nois, having received a majority of the whole number of Electoral votes, is duly elected President of the United States, for the four years commencing on the 4th of March, 1861 ; and Hannibal Hamlin, of Maine, having received a majority of the whole number of Electoral votes, is duly elected Vice-President of the United States for the same term.” He added, that the business for which the two Houses assembled having been completed, the Senate will now return to their own chamber.

The members of the House rose and remained standing until the Senators left the hall, when that imposing throng of five thousand spectators slowly and without excitement dispersed. A President of the United States had been constitutionally declared with that rather formal and not impressive ceremony. Was any ruler of a great nation ever before given the reins of power with less form ?

CHAPTER XXVIII.

JOURNEY OF THE PRESIDENT-ELECT TO WASHINGTON. INCIDENTS BY THE WAY. SPEECHES AT INDIANAPOLIS, CINCINNATI, COLUMBUS, PITTSBURG, CLEVELAND, BUFFALO, ALBANY, NEW YORK, TRENTON, PHILADELPHIA, AND HARRISBURG. IMMENSE POPULAR OVATIONS. THE RUMOR OF ASSASSINATION. NIGHT-RIDE THROUGH BALTIMORE. THE GENIAL RECEPTION AT WASHINGTON.

The Programme. THE journey of the President-elect to the seat of Government was one of those events of the time which, though an individual incident, still became historically significant, and formed one of the most exciting episodes of the month.

His preparations at first contemplated a speedy journey to the Capital; but, the feverish anxiety expressed by the people to see him on his way—the invitations of the State Legislatures of Indiana, Ohio, New York, New Jersey, and Pennsylvania, to visit their

respective Assemblies and to become their guest—the invitations of the Corporations of the leading cities on the route for him to tarry a day among them and receive their hospitalities, served to change the original purpose to that of a *progress*, by special trains and easy stages, from Illinois to Washington. The route, as finally arranged, embraced Indianapolis, Cincinnati, Columbus, Pittsburg, Cleveland, Buffalo, Albany, New York, Trenton, Philadelphia, Harrisburg, and Baltimore.

The Programme.

The Farewell.

The President left Springfield on the morning of Monday, February 11th.

He was greeted at the railway depot by a large concourse of his fellow-citizens, whom he addressed as follows:

"MY FRIENDS—No one not in my position can appreciate the sadness I feel at this parting. To this people I owe all that I am. Here I have lived more than a quarter of a century; here my children were born, and here one of them lies buried. I know not how soon I shall see you again. A duty devolves upon me which is, perhaps, greater than that which has devolved upon any other man since the days of Washington. He never would have succeeded except for the aid of Divine Providence, upon which he at all times relied. I feel that I cannot succeed without the same Divine aid which sustained him. In the same Almighty Being I place my reliance for support, and I hope you, my friends, will all pray that I may receive that Divine assistance, without which I cannot succeed, but with which, success is certain. Again I bid you all an affectionate farewell."

This touching address, it was reported, was given with a choked utterance. His auditors were moved to tears, and many responded, "We will pray for you." The train moved off amid tears and cheers. The President was accompanied by a select body of citizens and officers of the United States Army, who served as a body-guard and Committee of Arrangements through to Washington.

Multitudes were gathered at every railway station on the route. A delay of a few minutes was made at Decatur and Tolono, to give the crowds his greeting.

One of the reporters present wrote, of these country tributes: "In Macon County, where he lived in 1830, a large gathering of the old inhabitants, farmers for the most part, clad in the roughest garb, but showing that refinement of soul which belongs to this sturdy race of workers, were waiting at the station to greet their friend, and give him the encouraging word which strengthens the heart. At the small stations along the route one saw groups of saddle-horses, a score or more in number, who had brought their masters from long distances to pay their tribute of love and respect. At the small, uncouth school-houses, flags, rude in material, but all bear-

ing the Stars and Stripes, showed that a common feeling moved all classes. And so the train sped along, followed by the hearty blessings of an honest people."

At Indianapolis he was received by an immense At Indianapolis. concourse of people. Thirty-four guns announced his arrival. Governor Morton, on behalf of the citizens and Legislature of Indiana, welcomed him. A carriage and four white horses awaited his coming. The cortege presented a striking appearance—the procession embracing both Houses of the Legislature, State officers, the municipal authorities, the military, firemen, and citizens. Arrived at the hotel, he thus addressed the multitude from a balcony:

"FELLOW-CITIZENS OF THE STATE OF INDIANA—I am here to thank you much for this magnificent welcome, and still more for the very generous support given by your State to that political cause which I think is the true and just cause of the whole country and the whole world. Solomon says, 'There is a time to keep silence;' and when men wrangle by the month with no certainty that they mean the same thing while using the same word, it perhaps were as well if they would keep silence. The words 'coercion' and 'invasion' are much used in these days, and often with some temper and hot blood. Let us make sure, if we can, that we do not misunderstand the meaning of those who use them. Let us get the exact definitions of these words, not from dictionaries, but from the men themselves, who certainly deprecate the things they would represent by the use of the words. What, then, is 'coercion'? What is 'invasion'? The marching of an army into South Carolina, without the consent of her people, and with hostile intent towards them, would be invasion. It would be 'coercion' if the South Carolinians were forced to submit. But if the United States should merely hold and retake its own forts and other property, and collect the duties on foreign importations, or even withhold the mails from places where they were habitually violated, would any or all these things be 'invasion' or 'coercion'? Do our professed lovers of the Union, but who spitefully resolve that they will resist coercion and invasion, understand that such things as these on the part of the United States would be coercion or invasion of a State? If so, their idea of means to preserve the object of their great affection would seem to be exceedingly thin and airy. If sick, the little pills of the homeopathist would be much too large for it to swallow. In their view, the Union, as a family relation, would seem to be no regular marriage, but

rather a sort of free-love arrangement, to be maintained on principles of 'passional attraction.' In what consists the special sacredness of a State? I speak not of the position assigned to a State in the Union by the Constitution, for that, by the bond, we all recognize. That position a State cannot carry out of the Union with it. I speak rather of that assumed *primary* right of a State to rule all which is less than itself, and to ruin all which is larger than itself. If a State and a county, in a given case, should be equal in extent of Territory, and equal in number of inhabitants, in what, as a matter of principle, is the State better than the county? Would a mere exchange of names be an exchange of rights? Upon principle, on what rightful principle, may a State, being no more than one-fiftieth part of the nation in soil and population, break up the nation and then coerce a proportionably larger subdivision of itself in the most arbitrary way? What mysterious right to play tyrant is conferred on a district of country with its people by merely calling it a *State*? Fellow-citizens, I am not asserting anything. I am merely asking questions for you to consider. And now allow me to bid you farewell."

His stay in Indianapolis was one of tireless enthusiasm on the part of the people—of whom many pleasantries were related. All classes apparently bade him Godspeed! He left for Cincinnati on the morning of February 12th, pausing by the way at several of the chief towns. At Lawrenceburg, among other remarks, he said, looking over into Kentucky, "I say to you that the power intrusted to me shall be exercised as perfectly to protect the rights of your neighbors across the river, as of your own." A voice in the crowd cried out, "May the rulers be as right as the people." Mr. Lincoln replied, "Yes; and let me tell you, if the people remain right, your public men can never betray you. If I, in my brief connection with public affairs, shall be wicked or foolish, and if you remain true and honest, you cannot be betrayed"—arriving there in the afternoon. His reception at the "Queen City" was worthy of his high office. The crowd was so

great that the train was
At Cincinnati. stopped, and could only
proceed to the depot, after
the military and police had opened a way. The city was decorated profusely with American flags. He was received by the Mayor of the city, and in a barouche drawn by six white horses, escorted to the "Burnet House,"

followed by a very imposing cavalcade. He entered the hotel while the band discoursed "Hail Columbia" and the "Star-Spangled Banner." It was a thoroughly loyal ovation—*Union* being almost written on the people's faces. In answer to the call of the vast crowd which surged to and fro in the streets, Mr. Lincoln appeared on the balcony and addressed it as follows:

"FELLOW-CITIZENS—I have spoken but once before this in Cincinnati. That was a year previous to the late Presidential election. On that occasion, in a playful manner, but with sincere words, I addressed much of what I said to the Kentuckians. I gave my opinion that we, as Republicans, would ultimately beat them as Democrats, but that they could postpone that result longer by nominating Senator Douglas for the Presidency than they could in any other way. They did not, in any true sense of the word, nominate Mr. Douglas, and the result has certainly come as soon as I expected. I also told them how I expected they would be treated after they should have been beaten; and I now wish to call their attention to what I then said: 'When we do as we say, beat you, you perhaps want to know what we will do with you. I will tell you, as far as I am authorized to speak for the Opposition: We mean to treat you, as nearly as possible, as Washington, Jefferson, and Madison treated you. We mean to leave you alone, and in no way to interfere with your institutions; to abide by all and every compromise of the Constitution; and, in a word, coming back to the original proposition, to treat you, so far as degenerate men—if we have degenerated—may, according to the example of those noble fathers, Washington, Jefferson, and Madison. We mean to remember that you are as good as we; that there is no difference between us other than the difference of circumstances. We mean to recognize and bear in mind always that you have as good hearts in your bosoms as other people, or as we claim to have, and treat you accordingly.'

"Fellow-citizens of Kentucky! Friends and brethren!—(may I call you so in my new position?)—I see no occasion and feel no inclination to retract a word of this. If it shall not be made good, be assured the fault shall not be mine."

The reception during the evening was of a brilliant character. Most of the leading men of that section of the State, together with many from Kentucky, paid their respects to him. Party distinctions were forgotten in their earnest congratulations. To all remarks expressive of anxiety for the Union the President gave gratifying replies.

A deputation of citizens from Columbus, and the Joint Committee of the Ohio Legislature, acted as an escort to the Capital City on the 13th. The enthusiasm of the people seemed to increase as the East was approached. At all leading points on the route to Columbus great crowds had gathered to bid him welcome. The American flag seemed to wave from every house. Such a display of the "Stars and Stripes" never before was witnessed. He was received at

At Columbus.

Columbus by Gov. Dennison; and, escorted by the military, proceeded to the State-House, where the Legislature was in session. The Hall of Representatives was given up to his reception. In a response to the welcome of the Legislature, made by Lieutenant-Governor Kirk, Mr. Lincoln said:

"MR. PRESIDENT, AND MR. SPEAKER, AND GENTLEMEN OF THE GENERAL ASSEMBLY—It is true, as has been said by the President of the Senate, that very great responsibility rests upon me in the position to which the votes of the American people have called me. I am deeply sensible of that weighty responsibility. I can but know what you all know, that, without a name, perhaps without a reason, there has fallen upon me a task such as did not rest even upon the Father of his Country; and so feeling, I can but turn and look for that support without which it will be impossible for me to perform that great task. I turn, then, and look to the American people, and to that God who has never forsaken them. Allusion has been made to the interest felt in relation to the policy of the new Administration. In this I have received from some a degree of credit for having kept silence, and from others deprecation. I still think that my reticence was right. In the varying and repeatedly-shifting scenes of the present, and without a precedent which could enable me to judge by the past, it has seemed fitting that, before speaking upon the difficulties of the country, I should have gained a view of the *whole* field, to be sure of my way—being at liberty to modify and change the course of policy as future events may make a change necessary. I have not maintained silence from any want of real anxiety. It is a good thing that there is no more than anxiety, for there is nothing irreparably wrong. It is a consoling circumstance that, when we look out, we find that there is nothing which is really incurable. We entertain different views, upon political questions, but nobody is suffering from that cause. This is a most consoling circumstance, and from it we may conclude that all we want is time, patience, and a

reliance on that God who has never forsaken this people. Fellow-citizens what I have said, I have said without premeditation. I bid you all a most heartfelt wish for your prosperity, and for the prosperity of our whole country."

In the evening a brilliant reception was given at the Governor's mansion. Gentlemen of all political persuasions sought the President's hand, and uttered words of encouragement. At Columbus the President was informed, by telegraph, of the peaceful counting of the electoral votes at Washington, and the constitutional promulgation of his elevation to the Chief Magistracy. The numerous threats reported, of violence to prevent the declaration of the vote, had caused him anxiety. The news that all had passed off peaceably gave much satisfaction to him and his friends.

The route to Pittsburg

was pursued, February At Steubenville.

14th, by way of Steubenville, where, in response to an address made by Judge Lloyd, on behalf of the concourse present, he said:

"I fear that the great confidence placed in my ability is unfounded. Indeed, I am sure it is. Encompassed by vast difficulties, as I am, nothing shall be wanted on my part, if sustained by the American people and God. I believe the devotion to the Constitution is equally great on both sides of the river. It is only the different understanding of that instrument that causes difficulty. The only dispute is, 'What are their rights?' If the majority should not rule, who should be the judge? Where is such a judge to be found? We should all be bound by the majority of the American people—if not, then the minority must control. Would that be right? Would it be just or generous? Assuredly not. He reiterated, the majority should rule. If he (Lincoln) adopted a wrong policy, the opportunity to condemn him would occur in four years' time. 'Then I can be turned out, and a better man with better views put in my place.'"

At Pittsburg the reception was as cordial and demonstrative as at other

At Pittsburg.

points. The President addressed an immense throng, which, in spite of a severe storm, had congregated in front of his hotel, with a few words of recognition, adding that he should have the pleasure of speaking to the people on the morrow. On the morning

At Pittsburg.

of the 15th he addressed the immense crowd that awaited him. We quote:

"MAYOR WILSON AND CITIZENS OF PENNSYLVANIA — "I most cordially thank His Honor, Mayor Wilson, and the citizens of Pittsburg generally, for their flattering reception. I am the more grateful because I know that it is not given to me alone, but to the cause I represent, which clearly proves to me their good-will and that sincere feeling is at the bottom of it. And here I may remark that in every short address I have made to the people, in every crowd through which I have passed of late, some allusion has been made to the present distracted condition of the country. It is natural to expect that I should say something on this subject, but to touch upon it at all would involve an elaborate discussion of a great many questions and circumstances requiring more time than I can at present command, and would perhaps unnecessarily commit me upon matters which have not yet fully developed themselves. [Tremendous cheering, and cries of 'Good,' 'That's right.'] The condition of the country is an extraordinary one, and fills the mind of every patriot with anxiety. It is my intention to give this subject all the consideration I possibly can before specially defining in regard to it, so that when I do speak it may be as nearly right as possible. When I do speak I hope I may say nothing in opposition to the spirit of the Constitution, contrary to the integrity of the Union, or which will prove inimical to the liberties of the people, or to the peace of the whole country. [Vociferous applause.] And furthermore, when the time arrives for me to speak on this great subject, I hope I may say nothing to disappoint the people generally throughout the country, especially if the expectation has been based upon anything which I have heretofore said. Notwithstanding the troubles across the river, (the speaker pointing southwardly across the Monongahela, and smiling,) there is no crisis but an artificial one. What is there now to warrant the condition of affairs presented by our friends over the river? Take even their own views of the questions involved, and there is nothing to justify the course they are pursuing. I repeat, there is no crisis excepting such a one as may be gotten up at any time by turbulent men, aided by designing politicians. My advice to them under such circumstances is 'Keep cool.' If the great American people only keep their temper both sides of the line, the troubles will come to an end, and the question which now distracts the country be settled, just as surely as all other difficulties of a like character, which have originated in this Government, have been adjusted. Let the people on both sides keep their self-possession, and, just as

other clouds have cleared away in due time, so will this great nation continue to prosper as heretofore."

The President then adverted at length to the Tariff question. He assumed that a tariff of revenue was necessary, so long as the Government was to be sustained otherwise than by direct taxation. Without committing himself to the Morrill Tariff bill, then before Congress, he argued the great necessity of a revenue measure. He closed:

"According to my political education, I am inclined to believe that the people in the various portions of the country should have their own views carried out through their representatives in Congress. The consideration of the Tariff bill should not be postponed until the next session of the National Legislature. No subject should engage your representatives more closely than that of the Tariff. If I have any recommendation to make, it will be that every man who is called upon to serve the people, in a representative capacity, should study the whole subject thoroughly, as I intend to do myself, looking to all the varied interests of the common country, so that when the time for action arrives, adequate protection shall be extended to the coal and iron of Pennsylvania, and the corn of Illinois. Permit me to express the hope that this important subject may receive such consideration at the hands of your representatives, that the interests of no part of the country may be overlooked, but that all sections may share in the common benefits of a just and equitable tariff."

This address was received with the most lively enthusiasm by the denizens of the "Iron City," whose most material interests were so nearly concerned in the Tariff, as well as in the Union.

The trip to Cleveland, Friday, passed off pleasantly. The usual patriotic

Northern Ohio.

demonstrations were made along the route, and the reception at the "Forest City" proved that the Western Reserve was quite as devoted to the Union as other loyal sections, notwithstanding its reputed tendency to "Abolitionism." The trip to Buffalo passed off most agreeably, though the President was so seriously indisposed from frequent speaking and hand-shaking that he could but briefly respond to the truly stirring crowds gathered at every stoppage. The enthusiasm of Northern Ohio exceeded that of the southern and eastern portions of the State, cheering as it was.

At Buffalo.

The welcome at Buffalo was so warm as to be rude.

The dense crowd would not be kept from the train, and when the President alighted on the arm of ex-President Millard Fillmore, the pressure became so close that it was with difficulty the carriages could be gained. Good feeling, however, prevailed. His speech at Buffalo was marked by a spirit of Christian kindness that rendered it impressive, while it commanded the approval of all classes, when spread on the wings of the telegraph to all parts of the country. It stood out in strange contrast with the belligerent speech delivered, on the same day, by the President-elect of the Southern Confederacy at Montgomery. Mr. Lincoln said:

"MR. MAYOR, AND FELLOW-CITIZENS OF BUFFALO AND THE STATE OF NEW YORK—I am here to thank you briefly for this grand reception given to me, not personally, but as the representative of our great and beloved country. Your worthy Mayor has been pleased to mention, in his address to me, the fortunate and agreeable journey which I have had from home—only it is rather a circuitous route to the Federal Capital. I am very happy that he was enabled, in truth, to congratulate myself and company on that fact. It is true, we have had nothing thus far to mar the pleasure of the trip. We have not been met alone by those who assisted in giving the election to me; I say not alone, but by the whole population of the country through which we have passed. This is as it should be. Had the election fallen to any other of the distinguished candidates instead of myself, under the peculiar circumstances, to say the least, it would have been proper for all citizens to have greeted him as you now greet me. It is evidence of the devotion of the whole people to the Constitution, the Union, and the perpetuity of the liberties of this country. I am unwilling, on any occasion, that I should be so meanly thought of, as to have it supposed for a moment that these demonstrations are tendered to me personally. They are tendered to the country, to the institutions of the country, and to the perpetuity of the liberties of the country for which these institutions were made and created. Your worthy Mayor has thought fit to express the hope that I may be able to relieve the country from the present, or, I should say, the threatened difficulties. I am sure I bring a heart true to the work. [Tremendous applause.] For the ability to perform it I trust in that Supreme Being who has never forsaken this favored land, through the instrumentality of this great and intelli-

gent people. Without that assistance, I shall surely fail; with it, I cannot fail. When we speak of threatened difficulties to the country, it is natural that it should be expected that something should be said by myself with regard to particular measures. Upon more mature reflection, however—and others will agree with me—that when it is considered that these difficulties are without precedent, and never have been acted upon by any individual situated as I am, it is most proper I should wait and see the developments, and get all the light possible, so that when I do speak authoritatively, I may be as near right as possible. When I shall speak authoritatively I hope to say nothing inconsistent with the Constitution, the Union, the rights of all the States, of each State, and of each section of the country, and not to disappoint the reasonable expectations of those who have confided to me their votes. In this connection allow me to say that you, as a portion of the great American people, need only to maintain your composure, stand up to your sober convictions of right, to your obligations to the Constitution, and act in accordance with those sober convictions, and the clouds which now arise in the horizon will be dispelled, and we shall have a bright and glorious future; and when this generation shall have passed away, tens of thousands will inhabit this country where only thousands inhabit it now. I do not propose to address you at length; I have no voice for it. Allow me again to thank you for this magnificent reception, and bid you farewell."

Spending the Sabbath in Buffalo, the *progress* was resumed early on Monday morning. At eight o'clock the Presidential train reached Rochester, to find a large concourse of citizens gathered, notwithstanding the extreme rigidity of the weather. He made a brief address, when the train moved on. Great assemblages of citizens met him at all populous towns on the Central Road. At Syracuse ten thousand people awaited his advent. A platform draped in National flags, and surmounted by a live eagle, had been erected, from which he might address the people; but, the brief stay of the train allowed only of a few words from the car-platform. At Utica he was met by the Committee of the New York Legislature, who served as an escort to Albany. The reception at Utica was unusually agreeable—a salute of thirty-four guns being his welcome.

The party arrived at Albany to find a great multitude in waiting. The Presi-

At Albany.

dent was received by the Mayor, in behalf of the city authorities, in a very cordial welcome, in the course of which, he said: "We trust that you will accept the welcome we offer, not simply as a tribute of respect to the high office you are called to fill, but as a testimony of the good-will of our citizens, without distinction of party, and as an expression of their appreciation of your eminent personal worth and their confidence in your patriotism. [Applause.] We are aware that your previous arrangements with the State authorities and the brevity of your stay will compel us to forego the pleasure of extending to you on the part of the city other and more befitting hospitalities; but we are happy to know that his Excellency the Governor and the Senators and Representatives in the Legislature are about to receive you as the guest of the Empire State, and that in so doing they will represent the kind regards of the whole people, as well as the citizens of the Capital. Permit me, therefore, to greet you in the name of our citizens, and to repeat the assurance of a cordial welcome."

Under escort of the Mayor and the military, the procession passed through the densely-crowded streets to the State House, where the Governor and the Heads of Departments awaited his coming, in the Executive Chamber. After a brief delay in personal welcomes, the Governor led Mr. Lincoln forward to the Capitol Porch, in front of which an immense throng was gathered. The Governor addressed the President in these words:

"HONORED SIR—Chosen as you have been to the highest and most responsible office in the nation or on the globe, and journeying as you are to the Federal Capital to enter upon your public duties, you have kindly turned aside, upon the invitation of the Legislature, for the purpose of a brief sojourn at the Capital of New York. On behalf of the people, irrespective of political opinions, it is my privilege to greet you, and to extend to you a cordial welcome. If you have found your fellow-citizens in larger numbers elsewhere, you have not found, and I think will not find, warmer hearts, or a people more faithful to the Union, the Constitution, and the laws, than you will meet in this time-honored city of the capital. The people thank you, sir, for the opportunity

you have thus afforded them of manifesting to you their great respect, no less for yourself personally, than to the high position you have been called to fill."

In response, Mr. Lincoln said:

"GOVERNOR MORGAN—I was pleased to receive an invitation to visit the Capital of the great Empire State of this nation while on my way to the Federal Capital. I now thank you, and you, the people of the capital of the State of New York, for this most hearty and magnificent welcome. If I am not at fault, the great Empire State at this time contains a larger population than did the whole of the United States of America at the time they achieved their National Independence; and I was proud to be invited to visit its capital, to meet its citizens as I now have the honor to do. I am notified by your Governor that this reception is tendered by citizens without distinction of party. Because of this I accept it the more gladly. In this country, and in any country where freedom of thought is tolerated, citizens attach themselves to political parties. It is but an ordinary degree of charity to attribute this act to the supposition that, in thus attaching themselves to the various parties, each man in his own judgment supposes he thereby best advances the interests of the whole country. And when an election is passed, it is altogether befitting a free people that, until the next election, they should be *one people*. The reception you have extended me to-day is not given to me personally. It should not be so, but as the representative, for the time being, of the majority of the nation. If the election had fallen to any of the more distinguished citizens, who received the support of the people, this same honor should have greeted him that greets me this day, in testimony of the unanimous devotion of the whole people to the Constitution, the Union, and to the perpetual liberties of succeeding generations in this country. [Tremendous cheers.] I have neither the voice nor the strength to address you at any greater length. I beg you will, therefore, accept my most grateful thanks for this manifest devotion—not to me, but to the institutions of this great and glorious country."

He was then escorted by the Legislative Committee to the Assembly Chamber, every portion of which was densely filled with invited guests. After the ceremony of presentation to the Speaker, Mr. Lincoln was addressed by Senator Colvin as follows:

"MR. LINCOLN—On behalf of the representatives of the sovereign people of New York, we welcome you to the Capital and to the Repre-

Before the New York
Legislature.

sentatives' Hall of the State. We welcome you as the President-elect of 30,000,000 of people. We welcome you as the President-elect, according to the forms of the Constitution of the United States. And when, sir, you shall have assumed, as you soon will assume, the office of President of the United States, you may, in the discharge of all your constitutional duties, rely upon the support of the people of this great State."

In reply, Mr. Lincoln said:

"MR. PRESIDENT AND GENTLEMEN OF THE LEGISLATURE OF THE STATE OF NEW YORK—It is with feelings of great diffidence, and, I may say, feelings even of awe, perhaps greater than I have recently experienced, that I meet you here in this place. The history of this great State, the renown of its great men, who have stood in this chamber, and have spoken their thoughts, all crowd around my fancy, and incline me to shrink from an attempt to address you. Yet I have some confidence given me by the generous manner in which you have invited me, and the still more generous manner in which you have received me. You have invited me and received me without distinction of party. I could not, for a moment, suppose that this has been done in any considerable degree with any reference to my personal self. It is very much more grateful to me that this reception, and the invitation preceding it, were given to me as the representative of a free people, than it could possibly have been, were they but the evidence of devotion to me or to any one man. It is true that, while I hold myself, without mock modesty, the humblest of all the individuals who have ever been elected President of the United States, I yet have a more difficult task to perform than any one of them has ever encountered. You have here generously tendered me the support, the united support, of the great Empire State. For this, in behalf of the nation—in behalf of the President and of the future of the nation—in behalf of the cause of Civil Liberty in all time to come—I most gratefully thank you. I do not propose now to enter upon any expressions as to the particular line of policy to be adopted with reference to the difficulties that stand before us in the opening of the incoming Administration. I deem that it is just to the country, to myself, to you, and to all, that I should see everything, hear everything, and have every light that can possibly be brought within my reach to aid me before I shall speak officially, in order that, when I do speak, I may have the best possible means of taking correct and true grounds. For this reason, I do not now announce anything in the way of policy for the new Administration. When the time comes, according to the custom of the Government, I shall speak, and speak as well as I am able for the good

of the present and of the future of this country [loud applause]—for the good of the North and of the South—for the good of one and of the other, and of all sections of it. [Renewed applause.] In the mean time, if we have patience, if we maintain our equanimity, though some may allow themselves to run off in a burst of passion, I still have confidence that the Almighty Ruler of the Universe, through the instrumentality of this great and intelligent people, can and will bring us through this difficulty, as he has heretofore brought us through all preceding difficulties of the country. Relying upon this, and again thanking you, as I forever shall, in my heart, for this generous reception you have given me, I bid you farewell." [Prolonged applause.]

The entire stay at Albany was one continued patriotic ovation—the more grateful from all parties having forgotten their politics in their sincere respect to the Chief Magistrate of the nation.

At Albany the delegation from the city authorities Eastern New York. of New York took the President in charge. The trip (Tuesday, February 19th,) to the Metropolis of the North was of a character to inspire even the most desponding. The hearty and thoroughly unpartisan greeting extended upon all sides, demonstrated how rapidly the public sympathy was centering around the Chief Magistrate—that all classes were solicitous to extend him their confidence and support in the discharge of his most responsible and unusual trust.

Thus, the Mayor of Troy said, in his brief address of welcome: "In behalf of the citizens of Troy, whom I have the honor to represent on this occasion, I bid you a cordial welcome to our city; not as a partisan, not as a politician, nor as the representative of any particular political platform or dogma, but as the Chief Executive officer of thirty millions of free and intelligent people."

The Mayor of Poughkeepsie said, in his reception of the distinguished guest to that city: "I beg leave, in behalf of the citizens of Poughkeepsie, to bid you welcome among us, and to give you the assurance of our confidence in your patriotism and high purposes. We hope and pray that God will give you wisdom to so administer the affairs of this Government, that the whole country will bless you." To this Mr. Lincoln responded

in an equal spirit of patriotic devotion to the country's best interests. We may quote :

"I am grateful for this cordial welcome, and I am gratified that this immense multitude has come together, not to meet the individual man, but the man who, for the time being, will humbly but earnestly represent the majesty of the nation. [Tremendous cheers.] These receptions have been given me at other places, and, as here, by men of different parties, and not by one party alone. It shows an earnest effort on the part of all to save, not the country, for the country can save itself, but to save the institutions of the country—those institutions under which, for at least three-quarters of a century, we have become the greatest, the most intelligent, and the happiest people in the world. [Loud cheers.] These manifestations show that we all make common cause for these objects; that if some of us are successful in an election, and others are beaten, those who are beaten are not in favor of sinking the ship in consequence of defeat, but are earnest in their purpose to sail it softly through the voyage in hand, and, in so far as they may think there has been any mistake in the election, satisfying themselves to take their chance at setting the matter right the next time. That course is entirely right. I am not sure—I do not pretend to be sure—that in the selection of the individual who has been elected this term the wisest choice has been made. I fear it has not. In the purposes and in the principles that have been sustained, I have been the instrument selected to carry forward the affairs of this Government. I can rely upon you, and upon the people of the country; and with their sustaining hand, I think that even I shall not fail in carrying the Ship of State through the storm." [Tremendous cheers.]

At Fishkill and at Hudson he made brief responses to the gathered crowds. At Peekskill he was addressed by Judge Nelson, in behalf of the corporate authorities and citizens, in a cordial greeting, in which he said: "In common with your fellow-citizens generally, we appreciate the difficulties which probably will attend you in the discharge of the important duties about to devolve upon you as the Chief Magistrate of this nation. We have, however, full confidence in the soundness of your head and the purity of your heart, and that with the aid of that Divine Providence which you have invoked, you will be equal to every emergency which may arise in this critical condition of the nation. You have our hopes and our prayers

that your Administration will prove as prosperous and happy to our beloved country, and as honorable to yourself, as the difficulties and dangers which now threaten you, are great. Associated as we have been in the councils of the nation, I need not assure you of my own pleasure in thus meeting you again, and bearing to you this message from my neighbors and friends."

The reception in New York City was one of the At New York City. most interesting demonstrations ever witnessed in behalf of a single individual. Work generally was suspended. By noon the great thoroughfare of Broadway—down which the cortege would pass—became crowded with the outpouring multitude. Houses were lined with spectators; the "Stars and Stripes" hung from a thousand windows and floated from a thousand house-tops; banners were flung across the streets, bearing enlivening and patriotic inscriptions; the shipping in the harbor was decorated in all its various colors; handkerchiefs flouted from innumerable windows and doors, while beauty and fashion shone out of casements like creations especially ordered to grace that republican triumph. The crowd on the streets numbered several hundred thousand; but, so admirably were all arrangements made by the excellent police of the city, no accident or "row" occurred to mar the quiet and pleasure of the afternoon. As the Presidential carriage passed down the street, the huzzas became deafening. The great lines of waving flags and handkerchiefs looked like ripples bursting and flying before the ship's prow, and scintillating and eddying in her wake. The President stood uncovered, bowing to the people and acknowledging the welcome extended on every side. A reporter for one of the city journals wrote of the demonstration: "We but reflect the popular opinion when we say that the ovation was one of the grandest and most soul-stirring we have ever witnessed. Though the President-elect was evidently jaded, careworn, and oppressed with a weighty responsibility, he was also firm, self-possessed, and appeared equal to the stupendous task before him. He seemed to impress the people with this conviction, as he rode along, and

At New York City. a glimpse of his plain, straight-forward, honest face, so full of deep, earnest thought, of direct singleness of purpose, of thorough purity of motive and patriotic impulse, so won upon the multitude, that they burst into such spontaneous, irrepressible cheers, as gladdened the heart and moistened the eye, and made everybody forget the turbulence and anarchy of secession, now raging in the land, in their implicit confidence in the coming man."

The "Astor House" was given up to the events of the day and evening. During the evening a reception was held, at which the President received various public bodies and eminent citizens. The directing minds of the great commercial centre were in attendance, to offer the Chief Magistrate their hands.

On the morning of Wednesday a public reception was held in the City Hall. The Mayor, (Fernando Wood,) on that occasion, offered his admonishment, if not his welcome, in this perfectly characteristic manner:

"MR. LINCOLN—As Mayor of New York it becomes my duty to extend to you an official welcome in behalf of the Corporation. In doing so, permit me to say that this city has never offered hospitality to a man clothed with more exalted powers, or resting under graver responsibilities, than those which circumstances have devolved upon you. Coming into office with a dismembered Government to reconstruct, and a disconnected and hostile people to reconcile, it will require a high patriotism, and an elevated comprehension of the whole country, and its varied interests, opinions, and prejudices, to so conduct public affairs as to bring it back again to its former harmonious, consolidated, and prosperous condition.

"If I refer to this topic, sir, it is because New York is deeply interested. The present political divisions have sorely afflicted her people. All her material interests are paralyzed. Her commercial greatness is endangered. She is the child of the American Union. She has grown up under its maternal care, and been fostered by its paternal bounty; and we fear that if the Union dies, the present supremacy of New York may perish with it. To you, therefore, chosen under the forms of the Constitution as the head of the Confederacy, we look for a restoration of fraternal relations between the States—only to be accomplished by peaceful and conciliatory means—aided by the wisdom of Almighty God."

Mr. Lincoln responded:

"MR. MAYOR—It is with feelings of deep gratitude that I make my acknowledgments for the reception given me in the great commercial City of New York. I cannot but remember that this is done by a people who do not, by a majority, agree with me in political sentiment. It is the more grateful because in this I see that, for the great principles of our Government, the people are almost unanimous. In regard to the difficulties that confront us at this time, and of which your Honor has thought fit to speak so becomingly and so justly, as I suppose, I can only say that I agree in the sentiments expressed. In my devotion to the Union I hope I am behind no man in the nation. In the wisdom with which to conduct the affairs tending to the preservation of the Union, I fear that too great confidence may have been reposed in me; but I am sure I bring a heart devoted to the work. There is nothing that could ever bring me to willingly consent to the destruction of this Union, under which not only the great commercial City of New York, but the whole country, acquired its greatness, except it be the purpose for which the Union itself was formed. I understand the ship to be made for the carrying and the preservation of the cargo, and so long as the ship can be saved with the cargo, it should never be abandoned, unless it fails the possibility of its preservation, and shall cease to exist, except at the risk of throwing overboard both freight and passengers. So long, then, as it is possible that the prosperity and the liberties of the people be preserved in this Union, it shall be my purpose at all times to use all my powers to aid in its perpetuation. Again thanking you for the reception given me, allow me to come to a close."

A public introduction followed. For two hours the patient crowd passed the President, each person shaking him by the hand in the hurried salutation. Many had a word to offer—to all of which the Chief Magistrate replied kindly. Returning to the "Astor," Mr. Lincoln received the leading men of the City and State, as well as those from all parts of the country. The Vice-President-elect, Mr. Hamlin, joined the President here. During the evening the Opera was visited. His appearance in the stage-box was greeted by a perfect fury of applause. The curtain lifted and the chorus came forward, while two celebrated singers sang the "Star-Spangled Banner," to the chorus of which the audience added its shouts of approval. "Hail Columbia" followed, with equal popular furore.

Un ballo in Maschera was for the moment forgotten, and overwhelmed in the crude lyric. At the end of the second act of the opera the President and his escort returned to the "Astor," where Mrs. Lincoln was holding a reception.

We may turn aside to recur to several brief addresses made by Mr. Hamlin, whose journey through New England excited numerous popular manifestations at the railway stations. At Meriden, in Connecticut, he said :

"We may disagree somewhat in our political opinions, but we could have but one opinion of our duty to that country to which we owe allegiance—an allegiance which must be answered by every instinct and principle of manhood, and, if necessary, with our lives. I think I know something of the New England head and the New England heart. I think I know that they are earnestly loyal to our Union as it is, [applause] and I think I know, also, that that head and that heart are willing to concede to all Americans every constitutional right to which they themselves are entitled."

[Interrupted by an Irishman in the crowd, who shouted something about "Sectionalism," "Black Republicanism," "Know-Nothingism," &c.] Mr. H. continued: "We welcome the outcast and the down trodden of all nations to our shores; from the hovels of Ireland, from the mines of England, from the vassal fields of France—only demanding in return, that when they have come, and joined us in this grand triumph of self-government, they shall be true and loyal American citizens! We only ask, only intend to ask, that all who are born beneath the benignant folds of our Stars and Stripes, and all who adopt that flag as the standard of their choice, shall be loyal to the idea it typifies, and, in that loyalty, discharge all their obligations."

At Hartford a large crowd awaited his arrival. The Mayor of the city made a brief speech of welcome, to which Mr. Hamlin responded, expressing the strongest Union sentiment and devotion to the country's sole good. At New Haven it was estimated that ten thousand persons were at the railway depot, in anticipation of his passage through the place. This assemblage he addressed, expressing his gratification at meeting such a vast auditory. He had been gratified at meeting large numbers of his fellow-citizens all along his route—from the rural towns, where quiet and plenty are; from busy villa-

ges, where the spindles hum, and the din of machinery tell of thrift and enterprise; from the larger cities of commerce and wealth, towards which flow the tributary streams of this industry—from *all* his points of travel, had come forth to greet him, a true, strong-hearted people, inspired with devotion to a common cause and a common inheritance. He accepted these ovations gratefully, but as no homage to any man. Men are lost sight of in crises like these; they are as unimportant as the lightest atoms that float in the atmosphere. It was devotion to common principles that brought them together—the great principles of the Fathers of the Republic, now represented in the nation by that great and good man, whom the people had elevated to the highest office within the gift of any people on earth—Abraham Lincoln, of Illinois! [Long-continued cheering, which threatened to be irrepressible.] The speaker concluded with the assurance that the Union, as our fathers made it, and as it now is, must and would be perpetuated, and handed down as a blessed legacy to future generations.

On the morning of Thursday Mr. Lincoln departed from the City of New York for Trenton and Philadelphia. The Common Council of Jersey City escorted him to New Jersey's soil. He was there greeted with a salvo of artillery, and an immense audience awaited his appearance at the great railway depot, which was gayly decorated for the occasion, while, outside, a distinguishing feature of the morning was the immense display of colors made by the British steamers (Cunard's) as they lay at their dock adjoining the depot. The President was received in the depot by Hon. William H. Dayton, who saluted him as follows:

"MR. LINCOLN,—In the absence of the Governor, and acting by his authority and as his substitute, I give you a welcome to the State of New Jersey. Welcome, sir, to the hearts and homes of our citizens. We may not hope to equal in the demonstration of our attention that magnificent ovation which has accompanied your journey hitherto; but, in cordiality of greeting, we are second to none. We desire to testify to you, sir, our sincere respect and high appreciation of your present character and your public position—to assure you of the loyalty, the unwavering loyalty, of this people to the laws

In New Jersey.

and to the Constitution, [great cheering,] and to pledge to you our sympathy and support in all rightful measures tending to the great interests of this country, and to the perpetuation of the Union of these States. We desire to live in harmony with our brethren as a whole, doing justice to all, and asking only what is fair and rightful; and I am sure, sir, I do not tread upon doubtful or forbidden ground when I say they prefer one country, one flag, one destiny. Upon you, sir, upon whom so much depends, they feel they may rely for that first great element of success, rectitude of intentions. Let me add only, in conclusion, that, burdened as you will be with the cares and responsibilities of Government, this community will follow you to the capital with their best wishes, their fondest hopes, and their earnest prayers." [Great cheering.]

The President returned a brief reply, which excited the audience agreeably.

At Newark his reception was very enthusiastic. Leaving the cars at the first station in the city, he proceeded through the principal streets to the farther station. Along the entire route the streets and houses were lined with people, who cheered as he passed.

At Trenton the crowd

At Trenton. was unexpectedly large. Mr.

Lincoln was welcomed by the Mayor in a neat speech, and was escorted, by the local military, to the State-House, where he was received by the President of the Senate in a speech marked by much eloquence and fitness. To it the President thus replied:

"MR. PRESIDENT AND GENTLEMEN OF THE SENATE OF THE STATE OF NEW JERSEY—I am very grateful to you for the honorable reception of which I have been the object. I cannot but remember the place that New Jersey holds in our early history. In the early Revolutionary struggle, few of the States among the old Thirteen had more of the battle-fields of the country within their limits than old New Jersey. May I be pardoned if, upon this occasion, I mention that away back in my childhood, the earliest days of my being able to read, I got hold of a small book, such a one as few of the younger members have ever seen, 'Weems' Life of Washington.' I remember all the accounts there given of the battle-fields and struggles for the liberties of the country, and none fixed themselves upon my imagination so deeply as the struggle here at Trenton, New Jersey. The crossing of the river—the contest with the Hessians—the great hardships endured at that time—all fixed themselves on my memory more than any single Revolutionary event; and you all know, for

you have all been boys, how these early impressions last longer than any others. I recollect thinking then, boy even though I was, that there must have been something more than common that those men struggled for. I am exceedingly anxious that that thing which they struggled for—that something even more than National Independence—that something that held out a great promise to all the people of the world to all time to come—I am exceedingly anxious that this Union, the Constitution, and the liberties of the people, shall be perpetuated in accordance with the original idea for which that struggle was made, and I shall be most happy indeed if I shall be an humble instrument in the hands of the Almighty, and of this, His almost chosen people, for perpetuating the object of that great struggle. You give me this reception, as I understand, without distinction of party. I learn that this body is composed of a majority of gentlemen who, in the exercise of their best judgment in the choice of a Chief Magistrate, did not think I was the man. I understand nevertheless, that they came forward here to greet me as the constitutional President of the United States—as citizens of the United States, to meet the man who, for the time being, is the representative man of the nation, united by a purpose to perpetuate the Union and liberties of the people. As such, I accept this reception more gratefully than I could do did I believe it was tendered to me as an individual,

The Assembly, after being introduced to the Speaker, and received by him in a proper manner, was addressed as follows:

"MR. SPEAKER AND GENTLEMEN—I have just enjoyed the honor of a reception by the other branch of this Legislature, and I return to you and them my thanks for the reception which the people of New Jersey have given, through their chosen representatives, to me, as the representative, for the time being, of the majesty of the people of the United States. I appropriate to myself very little of the demonstrations of respect with which I have been greeted. I think little should be given to any man, but that it should be a manifestation of adherence to the Union and the Constitution. I understand myself to be received here by the representatives of the people of New Jersey, a majority of whom differ in opinion from those with whom I have acted. This manifestation is therefore to be regarded by me as expressing their devotion to the Union, the Constitution, and the liberties of the people. You, Mr. Speaker, have well said that this is a time when the bravest and wisest look with doubt and awe upon the aspect presented by our national affairs. Under these circumstances, you will readily see why I should not speak in detail of the course I

shall deem it best to pursue. It is proper that I should avail myself of all the information and all the time at my command, in order that when the time arrives in which I must speak officially, I shall be able to take the ground which I deem the best and safest, and from which I may have no occasion to swerve. I shall endeavor to take the ground I deem most just to the North, the East, the West, the South, and the whole country. I take it, I hope, in good temper—certainly no malice towards any section. I shall do all that may be in my power to promote a peaceful settlement of all our difficulties. The man does not live who is more devoted to peace than I am—none who would do more to preserve it. But it may be necessary to put the foot down firmly.” [Here the audience broke out into cheers so loud and long that for some moments it was impossible to hear Mr. Lincoln’s voice.] He continued: “And if I do my duty, and do right, you will sustain me, will you not? Received, as I am, by the members of a Legislature, the majority of whom do not agree with me in political sentiments, I trust that I may have their assistance in piloting the ship of State through this voyage, surrounded by perils as it is; for if it should suffer attack now, there will be no pilot ever needed for another voyage.”

A magnificent collation

At Philadelphia. was served at the “Trenton House,” after which the train proceeded to Philadelphia. The reception at the “Quaker City” was worthy its old-time hospitality and patriotic ardor. The President was escorted to the “Continental Hotel” by the Mayor, members of the Common Council, and Committees of the New Jersey and Pennsylvania Legislatures; while a fine body of mounted police, and a troop of dragoons served as a body guard. The streets were thronged, and great enthusiasm prevailed. From the balcony of the hotel he was addressed by the Mayor, and replied in a manner which gave special satisfaction, owing to the peculiar character of the Mayor’s address, which was as follows:

“SIR—In behalf of the Councils of Philadelphia, and of its citizens, who, with common respect for their Chief Magistrate-elect, have greeted your arrival, I tender you the hospitality of this city. I do this as the official representative of ninety thousand hearths, around which dwell six hundred thousand people, firm and ardent in their devotion to the Union; and yet it may not be withheld, that there are but few of these firesides whose cheer is not straitened and darkened by the calamitous condition

of our country. The great mass of this people are heartily weary and sick of the selfish schemes and wily plots of mere politicians, who bear no more relation to true statesmanship than do the barnacles which incrust the ship to the master who stands by the helm. Your fellow-countrymen look to you in the earnest hope that true statesmanship and unalloyed patriotism may, with God’s blessing, restore peace and prosperity to this distracted land. It is to be regretted that your short stay precludes that intercourse with the merchants, manufacturers, mechanics, and other citizens of Philadelphia, which might afford you a clear discernment of their great interests. And, sir, it could not be other than grateful to yourself to have the opportunity of communicating with the memories of the past, in those historic walls where the comprehensive intellects, and the liberal, disinterested virtues of our fathers, who framed the Constitution of the Federal States, over which you have been called upon to preside.”

Mr. Lincoln replied:

“MR. MAYOR AND FELLOW-CITIZENS OF PHILADELPHIA—I appear before you to make no lengthy speech, but to thank you for this reception. The reception you have given me to-night is not to me, the man, the individual, but to the man who temporarily represents, or should represent, the majesty of the nation. It is true, as your worthy Mayor has said, that there is anxiety among the citizens of the United States at this time. I deem it a happy circumstance that this dissatisfied portion of our fellow-citizens do not point us to anything in which they are being injured, or are about to be injured; for which reason I have felt all the while justified in concluding that the crisis, the panic, the anxiety of the country at this time, is artificial. If there be those who differ with me upon this subject, they have not pointed out the substantial difficulty that exists. I do not mean to say that an artificial panic may not do considerable harm; that it has done such I do not deny. The hope that has been expressed by your Mayor, that I may be able to restore peace, harmony, and prosperity to the country, is most worthy of him; and happy indeed will I be if I shall be able to verify and fulfil that hope. [Tremendous cheering.] I promise you, in all sincerity, that I bring to the work a sincere heart. Whether I will bring a head equal to that heart, will be for future times to determine. It were useless for me to speak of details of plans now; I shall speak officially next Monday week, if ever. If I should not speak then, it were useless for me to do so now. If I do speak then, it is useless for me to do so now. When I do speak, I shall take such ground as I deem best calculated to restore peace, harmony, and prosperity to the country, and tend to the perpetuity of the

At Philadelphia.

nation, and the liberty of these States and these people. Your worthy Mayor has expressed

the wish, in which I join with him, that it were convenient for me to remain with your city long enough to consult your merchants and manufacturers; or, as it were, to listen to those breathings rising within the consecrated walls wherein the Constitution of the United States, and, I will add, the Declaration of Independence, were originally framed and adopted. [Enthusiastic applause.] I assure you, and your Mayor, that I had hoped on this occasion, and upon all occasions during my life, that I shall do nothing inconsistent with the teachings of these holy and most sacred walls. I never asked anything that does not breathe from those walls. All my political warfare has been in favor of the teachings that come forth from these sacred walls. May my right hand forget its cunning, and my tongue cleave to the roof of my mouth, if ever I prove false to those teachings. Fellow-citizens, now allow me to bid you good-night."

A levee was held in the evening, at which the crowd was excessive. On the morning of Friday, the President attended upon the ceremony of a flag-raising over the old "Hall of Independence." At an early hour the entire vicinity was crowded. At seven o'clock the President was escorted to the Hall, where he was received by Theodore L. Cuyler, who warmly welcomed him to its venerable walls in the hour of national peril and distress, when the great work achieved by the wisdom and patriotism of our fathers seemed threatened with instant ruin. Mr. Lincoln responded as follows:

"MR. CUYLER—I am filled with deep emotion at finding myself standing here, in this place, where were collected the wisdom, the patriotism, the devotion to principle, from which sprang the institutions under which we live. You have kindly suggested to me that in my hands is the task of restoring peace to the present distracted condition of the country. I can say in return, sir, that all the political sentiments I entertain have been drawn, so far as I have been able to draw them, from the sentiments which originated and were given to the world from this hall. I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence. I have often pondered over the dangers which were incurred by the men who assembled here, and framed and adopted that Declaration of Independence. I have pondered over the toils that were endured by the officers and soldiers of the army who achieved that

Independence. I have often inquired of myself what great principle or idea it was that

At Philadelphia.

kept this Confederacy so long together. It was not the mere matter of the separation of the Colonies from the mother land; but that sentiment in the Declaration of Independence which gave liberty, not alone to the people of this country, but, I hope, to the world for all future time. [Cheers.] It was that which gave promise that in due time the weight would be lifted from the shoulders of all men. This is a sentiment embodied in the Declaration of Independence. Now, my friends, can this country be saved upon this basis? If it can, I will consider myself one of the happiest men in the world if I can help to save it. If it cannot be saved upon that principle, it will be truly awful. But if this country cannot be saved without giving up that principle, I was about to say I would rather be assassinated on this spot than surrender it. Now, in my view of the present aspect of affairs, there need be no bloodshed or war. There is no necessity for it. I am not in favor of such a course, and I may say, in advance, that there will be no blood shed unless it be forced upon the Government, and then it will be compelled to act in self-defence.

"My friends, this is wholly an unexpected speech, and I did not expect to be called upon to say a word when I came here. I supposed it was merely to do something towards raising the flag. I may, therefore, have said something indiscreet. [Cries of 'No, no.'] I have said nothing but what I am willing to live by, and, if it be the pleasure of Almighty God, to die by."

Great excitement followed this heart-expression of the President. Its ardor touched all hearts, and cheer upon cheer followed. The ceremony of the flag-raising followed. Proceeding to the platform erected in front of the State-House, he appeared to the multitude, to be welcomed with deafening cheers. The President was invited, in a short and appropriate speech, made by a member of the Select Council, to raise the flag. The occasion again awakened the spirit of '76. He was grateful for such an occasion to honor his country's flag. He alluded to the original flag of thirteen stars, saying that the number had increased as time rolled on, and we became a happy, powerful people, each star adding to its prosperity. The future is in the hands of the people. It was on such an occasion we could reason together, reaffirm our devotion to the country, and the

principles of the Declaration of Independence. Let us make up our minds that whenever we do put a new star upon our banner, it shall be a fixed one, never to be dimmed by the horrors of war, but brightened by the contentment and prosperity of peace. Let us go on to extend the area of our usefulness, add star upon star, until their light shall shine over five hundred millions of a free and happy people.

This fine sentiment called forth a tremendous outburst of applause. The President then threw off his over-coat in a manner which so indubitably indicated his early education to hard work, as to create much pleasant remark. A prayer was then offered, a gun was fired, when, hand over hand, the President raised the National ensign to the staff—the new ensign of thirty-four Stars. The vast audience shouted its gratification until very hoarseness induced silence.

At half-past nine the onward journey was resumed.

Under an escort of the State Legislative Committee, he visited Harrisburg, accompanied also by a large number of the most eminent men of the State. At various places along the route demonstrations were made, and brief speeches were returned. At Harrisburg the reception was unusually imposing. The town was gayly decorated with American flags, guns were fired, and every manifestation of pleasure exhibited. The President was escorted by Governor Curtin to the hotel in a barouche drawn by six white horses, accompanied also by a fine military *garde de corps*. Arriving at the hotel, from its balcony he was publicly welcomed to the Capital by the Governor in a very cordial and personal manner, to which Mr. Lincoln responded, reciprocating the feelings expressed, of anxiety for the country, trusting that a resort to arms never would become necessary. In his efforts to avert that unspeakable calamity, the people must sustain him. He brought to the responsibilities of his peculiar trusts an earnest heart and willing hands, and if he failed it should be from no lack of exertion on his own part.

At the Legislative Halls he was thus addressed by the Speaker of the Senate:

"HONORED SIR—In behalf of the Senate of Pennsylvania, I At Harrisburg. welcome you to the Capitol of

the State. We deem it a peculiar privilege, and a happy omen, that while on the way to assume the duties of the high office to which you have been called at this momentous period of our national history, we are favored by your presence at the seat of our Government on the anniversary of the birth-day of the Father of his Country. The people of Pennsylvania, upon whom rests so large a share of the responsibility of your nomination and election to the Presidency, appreciate the magnitude of the task before you, and are fully prepared to sustain your administration according to the Constitution and the laws. Whatever differences of opinion existed prior to the election as to the political questions involved in the canvass, they, as law-abiding, Constitution, Union-loving people, have no differences now. There is no difference among them as to your right to claim their duty, and they will render you support accordingly. Here, to-day, are assembled men of all parties and shades of opinion to welcome and honor the Constitutionally-chosen President of the Union. Nor have we viewed with indifference the recent public expressions of your views on a subject closely affecting the material interests of Pennsylvania, that it is not only right, but the duty of the Government, while providing for revenue by a tariff, so to regulate the duties as will afford protection to the industrial interests of the country. Your recent expressions, therefore, as to the true policy of the Government, have afforded profound satisfaction. Deeply impressed with the honor of your visit at this interesting time, we pray God that you, whom the people have elevated to the chair of Washington, and to whom they have largely confided their highest interests, hopeful of beneficent results from wise and just measures, may not disappoint them; and they trust that such will signalize your administration."

On the part of the House, its Speaker extended the hand in a heartfelt welcome, pledging the devotion of Pennsylvania to the Union, the Constitution, and the laws. Pennsylvania, though always ready for peace, stands ready to pledge both men and money to sustain the Government, if need be, to enforce the laws. In conclusion, he said the people had only one wish, one prayer, and that was for the success of the Administration of Abraham Lincoln, and the maintenance of the Union.

To these significant addresses Mr. Lincoln responded:

"I appear before you only for a very few brief remarks, in response to what has been said to me. I thank you most sincerely for this reception, and the generous words in which support has been promised me upon this occasion. I thank your great Commonwealth for the overwhelming support it recently gave, not to me personally, but the cause, which I think a just one, in the late election. Allusion has been made to the fact—the interesting fact, perhaps we should say—that I, for the first time, appear at the Capital of the great Commonwealth of Pennsylvania upon the birthday of the Father of his Country, in connection with that beloved anniversary connected with the history of this country. I have already gone through one exceedingly interesting scene this morning in the ceremonies at Philadelphia. Under the high conduct of gentlemen there, I was, for the first time, allowed the privilege of standing in Old Independence Hall [enthusiastic cheering,] to have a few words addressed to me there, and opening up to me an opportunity of expressing, with much regret, that I had not more time to express something of my own feelings, excited by the occasion, somewhat to harmonize and give shape to the feelings that had been really the feelings of my whole life. Besides this, our friends there had provided a magnificent flag of the country. They had arranged it so that I was given the honor of raising it to the head of its staff. And when it went up I was pleased that it went to its place by the strength of my own feeble arm; when, according to the arrangement, the cord was pulled, and it flaunted gloriously to the wind without an accident, in the bright glowing sunshine of the morning, I could not help hoping that there was in the entire success of that beautiful ceremony at least something of an omen of what is to come. Nor could I help feeling then, as I often have felt, in the whole of that proceeding, I was a very humble instrument. I had not provided the flag, I had not made the arrangements for elevating it to its place. I had applied but a very small portion of my feeble strength in raising it. In the whole transaction I was in the hands of the people who had arranged it, and if I can have the same generous cooperation of the people of the nation, I think the flag of our country may yet be kept flaunting gloriously. [Loud, enthusiastic, and continued cheering.] I recur for a moment but to repeat some words uttered at the hotel in regard to what has been said about the military support which the General Government may expect from the Commonwealth of Pennsylvania in a proper emergency. To guard against any possible mistake do I recur to this. It is not with any pleasure that I contemplate

the possibility that a necessity may arise in this country for the use of the military arm. While I am exceedingly gratified to see the manifestation upon your streets of your military force here, and exceedingly gratified at your promise here to use that force upon a proper emergency—while I make these acknowledgments, I desire to repeat, in order to preclude any possible misconception, that I do most sincerely hope that we shall have no use for them; that it will never become their duty to shed blood, and most especially never to shed fraternal blood. I promise that, so far as I may have wisdom to direct, if so painful a result shall in any wise be brought about, it shall be through no fault of mine. Allusion has also been made by one of your honored speakers to some remark recently made by myself at Pittsburg, in regard to what is supposed to be the especial interests of this great Commonwealth of Pennsylvania. I now wish only to say in regard to that matter, that the few remarks which I uttered on that occasion were rather carefully worded. I took pains that they should be so. I have seen no occasion since to add to them or subtract from them. I leave them precisely as they stand, adding only now, that I am pleased to have an expression from you, gentlemen of Pennsylvania, significant that they are satisfactory to you. And now, gentlemen of the General Assembly of the Commonwealth of Pennsylvania, allow me to return you again my most sincere thanks."

The afternoon was spent in the usual reception, in which all classes of citizens mingled. Retiring, at six o'clock, to his private apartment, the President-elect was soon on a special train, disguised in a Scotch plaid cap and cloak, *en route* for Washington, where he arrived safely Saturday morning, to be received at the depot by a few friends who were in the secret of his unceremonious movement.

This "flight by night, at the time, created a most remarkable excitement, even for a people accustomed to surprises; and the various stories afloat as to the cause—the widely differing opinions as to the judiciousness of the step—the sarcasm and joke which grew out of it at the President's expense, served for a seven days' wonder.

Without recurring to the many inventions of the reporters and letter-writers, we may simply state that the step was taken by advice of General Scott and Mr. Seward. Baltimore had resolved to receive the President

The Hegira.

The Hegira.

courteously; but it was ascertained that some of the most vicious elements of

that turbulent city had been incited by unprincipled men to raise a mob on the occasion of his appearance—at once endangering life and the city's honor. To avoid this, and frustrate whatever plans for mischief might have been matured, were the secret of that precipitate movement. There was neither courage nor a want of it shown in the step. It was one of prudence merely; and, though a large portion of the public, at the time, thought the President should have gone through the Baltimore reception *because* of the threatened danger, it soon was felt that his course had been one of wisdom. The violent tone of the Baltimore papers of "Southern" proclivities gave the friends of the President good reason to feel that he had escaped humiliation, if not injury, at the hands of his implacable political enemies.*

Mr. Lincoln's unexpected advent at the Capitol took all by surprise. Preparations on a large scale had been made for his reception; the Mayor had written an address of congratulation and welcome; the military had prepared new uniforms and reburnished their arms; the two Houses of Congress were in for an early adjournment, and the "coming man" was the theme of general remark. All preconcerted arrangements were frustrated, for he came in their midst an unheralded and unexpected guest. When it became known that he was in the city, his hotel was

thronged—all anxious for a word with him who was to direct the destiny of the Re-

The Hegira.

public, for good or for evil. But he remained in private to all visitors. At eleven o'clock, in company with Mr. Seward, he called upon Mr. Buchanan. The surprise of the occupant of the White House was great; but he gave his successor a very cordial greeting. The Cabinet being in session, Mr. Lincoln passed into its chamber, to the surprise and the delight of its members. A call was made upon General Scott, but the veteran was not on duty. Thus, dispensing with all formality, the Republican President set a good example of Republican simplicity of manners and kindness.

During the day he received visitors freely. All partisan feeling seemed to be forgotten, and Democrats vied with Republicans in their really genial welcome. Only the extreme Southern men stood aloof; they had no word of welcome for a man who, it was felt, would rule without fear, and prove faithful to his oath to sustain the Constitution and the laws.

In the evening, by appointment, Mr. Lincoln received the "Peace Congress" members. The entire body was presented to him, and a cordial hour passed in an informal greeting. After the interview, the President was called upon to confront the ladies of Washington, who had congregated in the parlors of the hotel to be introduced to a man of whose ugliness of feature and ungainliness of form they had heard so much. Mr. Lincoln received them in a manner at once graceful and possessed. This closed his first day at the Capital. Thereafter he was to enter upon the thorny field of Administration. A Cabinet was to be chosen, Ministers to be selected, a settled policy to be drawn out of that fearful distraction. The brief interval of ten days, prior to his inauguration, was to be among the most trying of his experience; for the claims of persons to posts of honor—the rights of sections—the harmonization of conflicting interests—the disposition of places demanding a peculiar fitness—all were among those minor annoyances of administration which rendered the yoke anything but easy to bear.

* The Albany *Evening Journal* published a detailed account of the existence of a conspiracy for the President's assassination, of which a well-known detective had been apprised. Its plan embraced a riot at Baltimore, on the arrival of the Presidential train, during which Mr. Lincoln was to be stabbed or shot. This account was understood to have been furnished by Frederick A. Seward, who was the special messenger sent from Washington to arrange for the night flight. The New York *Times* repeated this story, only adding to its exciting detail by asserting that eminent statesmen, bankers, and others, were in the secret of the conspiracy for the assassination. Without presuming to pronounce upon the credibility of this reputed conspiracy, we think a sufficient apology—if such were needed—for the *incognito* entrance to the Capital will be found in the fact that Mr. Lincoln acted by advice of General Scott.

CHAPTER XXIX.

THE TREASURY. ITS CONDITION IN FEBRUARY. THE TWENTY-FIVE MILLION LOAN. GUARANTEES OF THE STATES. HOWELL COBB'S CRIMINALTY. THE HOUSE REPORT ON FLOYD'S CASE. THE EX-SECRETARY'S DISGRACE. STATE OF THE COUNTRY FEBRUARY 15TH.

Financial Condition of
the Treasury.

THE financial condition of the National Treasury, in the early part of February, was such as to excite no little uneasiness in the mind of the Secretary. Of the twenty-million loan authorized the previous June, but a little more than seven millions had been taken. Mr. Cobb's financiering had shaken the credit of Government so far, that its paper not only no longer commanded a premium, nor even touched *par*, but was only disposed of at ruinous rates. The act authorizing the loan restricted its sales at *par*, and capitalists refused to take it. This refusal left the department nearly bankrupt, at the moment of Mr. Cobb's withdrawal, "to lend the force of his great financial genius to the construction of a new Government." He assumed the keys of a plethoric chest—he left the keys of an empty one.

Mr. Dix, upon assuming charge of the Treasury Department, set about recuperating its exhausted finances. He was chosen for his fitness. In that hour of calamity, it behooved the President to call to his side men of reputation for integrity, who would, in some degree, restore the confidence of an outraged people. Devotion to "Southern interests" had ruined his Administration, and he could only save his memory from being written Odious by rising above a partisan's ambition at the last hour. Mr. Dix, as the representative of Northern sentiment, and having the confidence of the magnates of Wall street, was a wise choice; and if the brief period of Mr. Buchanan's term would not allow of a full restoration of public credit, it would, at least, permit him to stay the decline which threatened a fatal issue.

January 18th he sent to Mr. Sherman, Chairman of the Committee of Ways and

The Twenty-five
Million Loan.

Means, an exhibit of the state of the Treasury, and asked for twenty-five millions of dollars to meet the wants of Government up to June. February 1st, Mr. S. introduced, in the House, his Loan bill, calling for twenty-five millions. The representations made, and the good management used, crowded the bill through without delay. February 2d it went to the Senate, which returned it to the House slightly modified. A conference soon consummated its final passage, but it did not receive the President's signature until Feb. 9th.

Pending its passage, Mr. Dix had addressed the Governors of the loyal States, advising that the Legislatures should endorse the loan to the extent of the special deposits held by them of the surplus fund. To this proposition several States answered promptly—the loyal-hearted Ohio being first. She, holding \$2,097,000 of that fund, would guarantee the Government loan to that amount. Pennsylvania next voted to endorse for her quota—\$2,800,000. These endorsements were not, however, accepted by the terms of the act—hence the loan went forth offering only the Government's faith as security. This so far weakened the prospect for favorable bids, that Mr. Dix sought to obtain a special act authorizing the acceptance of the proffered State guarantees, to the extent of the eight millions first to be put on the market. In possession of these, he felt that the offers would be of a very satisfactory character. He communicated his wishes in the matter to Mr. Sherman, under date of February 12th, in the following exhibit:

The Secretary's
Exhibit.

"SIR—I deem it my duty to call your attention to the pressing demands on the Treasury, and to suggest the only mode of meeting them without seriously impairing the public credit. The liabilities due and to fall due before the 4th of March next, are as follows:

For the State Department.....	\$ 101,868
For the Interior Department.....	1,302,327
For the War Department.....	1,521,131
For the Navy Department.....	1,560,000
For the Post-Office Department.....	700,000
For Requisitions on War and Navy Departments, not complied with.....	1,853,000
Treasury Notes falling due before 4th March.....	1,803,000
For Treasury Department.....	501,423
For Light-House Board.....	73,220
For Fishing Bounties.....	485,522

NOTE.—These are the round numbers, making a total of \$9,901,118.

"The accruing revenue will, it is estimated, net about \$1,900,000 of the amount, leaving but eight millions to be borrowed.

"There is in the Treasury, subject to draft of the Treasurer of the United States, but little more than half a million, and there are requisitions in the Treasury Department amounting to nearly ten millions of dollars unanswered. In the present condition of the country it would be impossible to borrow the money needed to meet the wants of the Treasury, unless at a discount which would seriously impair the public debt, without some pledge in addition to that of the faith of the Government. Several of the States, in accordance with a suggestion contained in my letter to the Committee of Ways and Means, of the 18th January last, have offered to superadd the pledge of their faith to that of the United States, for the redemption of any bonds it may issue, to the amount of the public moneys deposited with them, respectively, for safe keeping, under the act of 23d June, 1836.

"If Congress will authorize these offers to be accepted, the money required to meet the liabilities due and to fall due before the 4th of March can be obtained at par. If the authority is not granted, I am satisfied it can only be procured on terms which would be exceedingly disadvantageous to the Government, and in the highest degree detrimental to its credit. I should not venture to ask for a loan exceeding \$2,000,000, and nearly the whole of this amount would be required to meet the redemption of Treasury notes to fall due before the 4th of March. There would be due on that day about \$6,000,000 to public creditors, whose demands could not remain unsatisfied without subjecting them to most serious inconveniences, and in some cases to serious losses.

"I have discharged my duty to them and to the country, by making this exhibit of the public wants, and in pointing out the only mode by which, in my judgment, they can be met without the most serious consequences to the interest of the Government, and individuals to whom it is indebted. The short time to elapse before the close of the present session of Congress renders it indispensable that I should advertise for a loan on the 13th or 14th inst., at the farthest.

"I am, very respectfully, your obedient servant,

"JOHN A. DIX,

"Secretary of the Treasury."

Mr. Sherman immediately introduced a bill covering the acceptance of the guarantees, when Garnett, (Dem.,) of Virginia, refused, by his objection, to allow the introduction of the resolution of enactment. His words and demeanor were violent. He said: "After the recent declaration of war by the President-elect of the United States, [referring to Mr. Lincoln's Indianapolis speech—see page 373,] I deem it my duty to interpose every obstacle to the tyrannical and military despotism now about to be inaugurated." Mr. Dix again wrote, under date of February 13th, to warn the Committee of what must be the result of the refusal to sanction the acceptance of the State guarantees. He said:

"SIR—It is indispensable that I should give to-day notice of a loan of \$8,000,000, in order

The Secretary's
Second Letter.

that the Government may be in funds to meet indispensable payments on the 1st proximo.

"The obstacles unexpectedly thrown in the way of the passage of the bill reported by your Committee yesterday, authorizing the acceptance of the guarantee proffered by several of the States, compel me reluctantly to ask for the loan on the usual terms; for, in the present distracted state of the country, should it continue, I fear there must be a loss of \$800,000. Under all the circumstances, however, instead of calling for \$2,000,000, as I suggested in my letter to you of the 11th inst., I have thought it advisable to ask for \$8,000,000, reserving the right of declining to accept bids which may be deemed disadvantageous to the United States, and taking the chance of a favorable change in the political condition of the country within the next ten days, at the end of which proposals for the loan will be received. Allow me to remind you that the Loan bill, under which I ask for proposals, was not presented for the approval of the President until the 8th inst.; and that, on the 9th inst., Saturday, there

The Secretary's
Second Letter.

was not a quorum of your Committee to act on the bill reported yesterday, accepting the

guarantee of the States.

"I advert to these circumstances to exonerate myself in the judgment of those who have an interest in the discharge of the liabilities pressing upon the Treasury from any want of diligence on my part. Your Committee, I believe, all understand that more than five millions of Treasury notes have been redeemed out of the current revenues, and that about two millions more fall due before the 4th of March, less the amount to be paid in for public dues, making nearly the eight millions now required to meet the public wants before that day; that more than one-third of the revenue derived from the customs is paid in Treasury notes due at a future day; and that the present embarrassed state of the Treasury arises from the operation of a paper system which compels the Government to anticipate the payment of its debts out of its current receipts. As I have decided to issue the notice for a loan to-day, I am constrained to request that the bill reported yesterday may not be acted on, as the expectation of a call for a loan at a future day on guaranteed stock could not fail to have a very disadvantageous effect on the proposals to be made for that now asked for.

"JOHN A. DIX."

The advertisement, proposing for the loan, appeared in the New York papers of February 18th. It was taken, with unexpected avidity—the amount bid for being \$14,355,000,

The Bids obtained for
the Loan.

and the bids ranging from
75 to 96·10 per cent. The
allotment was: \$4,915,000

at 90·15 per cent., and the remainder, (up to the eight millions offered) at figures ranging up to 96·10 per cent. Had the State guarantees been accepted, the average would have been, in all probability, about 96. As it was, it fell below 92—for which the "gentleman from Virginia" had to assume the responsibility. Considering the aspect of political affairs, and the state of the country, that the loan should have been taken at such rates is an incontrovertible evidence of the faith which capitalists reposed in the incoming Administration. Something may have been due to a patriotic desire to sustain the Government, in its hour of need; but, *confidence* was the secret of the terms obtained.

The last loan negotiated by Mr. Cobb was for ten millions of five per cents, awarded on the 22d of October, 1860. The history of that

award is a luminous illustration of the devices and desires of the then Secretary's heart.

Evidence of Mr.
Cobb's Criminality.

The pressure he applied to Wall Street to influence the election became evident at a late day, when a number of the bidders asked Congress for relief. To show what politicians sometimes do, and what recklessness reigned in some departments of the Government, we have but to give the petition of the bankers to Congress. After stating that they were subscribers to that portion of the loan, authorized by the act of June 22d, 1860, which was offered in October, the petitioners added:

"That on the 22d of October of that year their offers were accepted for a portion of such loan, of which on that day they were notified.

"That your petitioners had previously, upon entering their bids, made their deposit of one per cent. and after notice of such acceptance, made a deposit of their premium thereon, and ordered coupon bonds simultaneously therewith, when, to their great surprise and astonishment, they were informed by the then Secretary of the Treasury that his Department had no coupon bonds ready for delivery.

"That although your petitioners received notice of the acceptance of their offers on the 22d of October last, no orders reached the engravers in New York to prepare such coupon bonds until the 26th of the same month, being four days after such notice of acceptance, and the first blank coupon bonds did not leave this city for Washington until the 3d day of November, eleven days after the notice of the award.

"That in consequence of the delay, orders for these bonds were withdrawn from your petitioners, and even sales made by them, in various instances, canceled by the purchasers, owing to the failure of delivery and in other instances, to retain their customers, your petitioners were obliged to purchase for them United States bonds of 1874 as a substitute for these coupon bonds."

Thus much in exposition of Mr. Cobb's way of doing business with Northern men. The petitioners further stated that they were bidders chiefly for other parties—that, in consideration of the non-compliance of the Secretary with his duty in the delivery of the bonds and coupons, the parties for whom they bid refused to take the amount awarded, urging as a justification the following specific reasons, to which the reader's attention is directed:

Evidence of Mr.
Cobb's Criminality.

"First: In consequence of the delay above referred to.

"Second: That directly after the application for such bonds, and the failure of the Government to furnish them, the then Secretary of the Treasury *announced publicly in market, that in the event of the success of the Republican party in the ensuing election, the Southern States would withdraw from the Union, and the Government be broken up*; whereby the credit of the United States was impaired, and the market value of the bonds depressed; or, in other words, as they contended, the bonds were rendered 'a damaged article, without fault of the buyers.'

"Third: That the Government had thereby lost the power to deliver the securities contracted for.

"Fourth: That their contract was for bonds of the United States, having the faith of all the States pledged for their redemption; but, before the expiration of the time for their delivery, the unity of the States was invaded by the establishment, *pro forma*, by one of the States, of a separate and independent Government."

As the Presidential election was to be affected by such a representation, we here have the evidence of the Secretary's attempt to influence that election by the strong leverage which ten millions of dollars would give. His representations, it will be seen, were made *after* the bids had been put in, but *before* the bonds were delivered; and, as the bidders were not served until after the day of election, the retention of the bonds was to cause a panic among the bankers, and *compel* them to lend all the power of their vast resources to throw the elections in New York and New Jersey against the Republican nominee. When Mr. Toombs said, in the Montgomery Congress, in proposing Howell Cobb for President, [see page 335,] that "he had been illustrious in the arena of the General Government"—that "his name was coextensive with the length and breadth of the whole country"—he could not have spoken in irony; and yet, such was Mr. Cobb's reputation in those circles where he was best known, that the great agitator's words were only true in an ironical sense. He, evidently, was valued at Montgomery in proportion to the wrong he had done the General Government and to Northern interests.

The report of the House Select Committee appointed December 24th—to investigate the great robbery of bonds, [see pages 113-114,]

and the complicity of Mr. Floyd in the further frauds charged—was made February 12th. It covered the entire ground of the facts of the abstraction, and the incidental transactions by which the fraud was accompanied. It was a sad revelation for the American people to read, and tended to strengthen the growing sentiment of indignation against the Administration. The credit of Government ruined; the property of Government specially placed in the way of seizure, and seized to the amount of many millions;

The Record of
Dishonor.

the tampering with treason to such an extent as to encourage it even to unpremeditated lengths;—all to be crowned by a direct robbery of the Treasury of millions, could not excite, in the breasts of a people not dead to wrong, any other feeling than that of shame and indignation. Even the warmest partisans of Mr. Buchanan could find no excuse, no palliation, for the condition of things; and execrations came from men slow to forget party affinities, but too loyal to suffer humiliation in silence. Whether time will prove the censure heaped upon the Chief Magistrate to have been just or unjust, remains to be seen; but one fact is indubitable, that no man in America ever was so generally and so unqualifiedly condemned—to use no harsher word.

We can give but a reference to the lengthy report made by the Committee, of which Morris, (Dem.,) of Illinois, was Chairman. The summary of the investigations was given in the following paragraphs:

"In relation to the acceptances issued unconditionally by the late Secretary of War,

Report on Mr. Floyd's
Default.

your Committee deem it their duty to state all the facts they have been able to discover, as fully as possible. They amount, in the aggregate, to the enormous sum of \$6,179,395. Add thereto the conditional acceptances which have already been thrown back upon the Government through the agency of Mr. Bailey, and the sum-total is \$6,977,395. This estimate is based upon data furnished by the War Department. It appears, therefrom, that acceptances to the amount of \$840,000 were returned to the Department for cancellation. Mr. Russell, however, claims to have returned only \$200,000 or \$250,000. He further states that the acceptances which he did return were those which had matured

Report on Mr.
Floyd's Default.

in his own pocket, and could not, therefore, be negotiated. But this assertion is positively contradicted by the indorsements on the returned acceptances, and by the testimony of Mr. Irwin, a clerk in the War Department. From the careless and irresponsible manner in which business was transacted by that gentleman and the late Secretary of War, and from the fact that it was the habit of Governor Floyd to issue acceptances at the Department or at his house, or at whatever place he happened to be, and other considerations, it is a matter of great uncertainty whether or not the \$840,000 should be deducted from the sum heretofore stated. The probability is, that when the acceptances were returned to Governor Floyd by Mr. Russell, he accepted others at the same time, for the same amount, of which there was no registry made. It is deemed safest to proceed upon the supposition that the acceptances made in the place of those returned were registered. Upon this hypothesis, the \$840,000 must be deducted from the \$6,179,395 of unconditional acceptances made and registered in the War Department. This would leave of them, so far as is shown by the records of that Department, \$5,339,395 still in circulation. Add to this amount the \$798,000 of conditional acceptances received by Mr. Bailey in lieu of the bonds, and the aggregate is \$6,137,395. Here, then, conforming the statement to the records of the War Department, is a deficit of \$6,137,395 to fall upon the holders of these acceptances, or to be assumed in some way by the Government.

"The evidence shows that the acceptances have been sold in various parts of the United States, wherever a bank or private individual could be induced to purchase. Inasmuch, however, as the amount of those that have been traced directly into the hands of present holders constitutes but a small fraction of the sum still unaccounted for, and as owners are daily filing additional claims at the War Department, it is deemed unnecessary to give a detailed statement of the discovered acceptances, or to make other mention of them, than to refer to the papers relating thereto, presented by the War Department, and to the general evidence."

Mr. Floyd urged, in his defence, [see page 152,] that it had been the custom of the department to issue acceptances for work to be performed on contract; but this proved to be worse than falsification. It had not only *not* been customary to do so, but, after the President was made aware of Mr. Floyd's "custom," and in alarm had positively forbidden it, the Secretary continued the practice. Mr. Benjamin, of Louisiana, had been written to by

bankers in New York, who were frightened at the amount of these acceptances

Report on Mr.
Floyd's Default.

on the market; and had, at the President's request, called upon Mr. Floyd to warn him of the dangers of this reckless use of his official name. Floyd, two days after the interview, wrote to Mr. Benjamin to thank him for his advice in the matter, at the same time promising to cease from any further issues of paper in advance of work performed by the Utah Army Supply Contractors, Messrs. Russell, Majors, and Waddell. How he kept even this promise the Committee tell us:

"It has already been shown that, contrary to the assertion of Gov. Floyd, no practice of issuing acceptances had ever prevailed in the War Department previous to its introduction by himself; that he issued these acceptances indiscriminately, and without reference to instalments, or the arrival or departure of trains, and without regard to money which was due, or which was expected to become due. One would naturally expect to find that Governor Floyd, having been admonished by one whose position and legal learning gave authority to his advice, having confessed the illegality of his proceedings and expressed a determination to make no further acceptances, would have proceeded thereafter with great caution and circumspection, even if he did not entirely discontinue his previous policy. It appears, however, that, supposing the note to Mr. Benjamin, before referred to, to have been written a year ago, there have been issued by Governor Floyd, since that time, acceptances to the amount of \$2,163,000; in April, \$40,000; May, \$250,000; June, \$350,000; July, \$95,000; August, \$235,000; September, \$125,000; October, \$270,000. To this amount must be added the \$798,000 of unconditional acceptances of which there is no registry, and the grand total is as above stated. Having had his error and its probable consequences distinctly pointed out, and having expressed his intention to refrain in future from the commission of similar acts, he still persists in his former course, and actually issued an acceptance for \$155,000 at a date so late as the 13th of December, 1860. Whether this manifest contempt of counsel, disobedience of law, and violation of a solemn promise can be reconciled with purity of private motives and faithfulness to public trusts, is for the House to determine. It is the opinion of your Committee that they cannot."

This report, adding certainty to rumor, placed the ex-Secretary in a position of unenviable notoriety before his countrymen. Having been indicted (January 28th) on two

Floyd's Disgrace.

counts, by the Grand Jury of Washington City: first, for malfeasance in office; and, second, for conspiracy with others to defraud the Government—he found it *convenient* to absent himself, and take refuge in Virginia, under the plea of “attending to her interests.” Having robbed the Government of millions—having contributed to arm the revolutionists and to humiliate the Administration, he was well qualified to assume a leading part in a drama based upon perjury and deception. Benedict Arnold received the gold of the British Government for his “services,” but no honorable Englishman ever would allow the contaminating touch of his traitor’s hand:—if Mr. Floyd was welcomed by the conspirators, in his escape from the hand of the Government he had betrayed, the *people* of Virginia put him away from their hearts, as unworthy of an honorable man’s respect. The price of his treason was the overwhelming contempt of his own fellow-citizens.

Mr. Floyd wrote from his *retirement* a protest to the report of the Special Committee, saying:

“The numerous assaults
Floyd’s Protest. which have been made upon
my character for several weeks

past in the newspapers, and which from their source and nature could not be replied to, have at length culminated in a report from the Committee of the House of Representatives, submitted to that body on the 12th inst. The report is an *ex parte* arraignment of my official conduct upon *ex parte* testimony, taken in secret in my absence. It is a labored attempt by innuendo, and by means and circumstances in the absence of proof, to fix upon me some unexpected complicity with a robbery of the Government of which I had no knowledge until about the time it was publicly disclosed; and now that these charges have been put in form, and have emanated from an authoritative source, I pledge myself to meet them by full response as soon as the report of this Committee, with the evidence taken by it, has been printed, and can be examined.

“JOHN B. FLOYD.

“February 13th, 1861.”

The fact of its being *ex parte* was entirely owing to the primary fact that Mr. Floyd absented himself, and found no friend who had

the courage to “attend to his interests” before that Committee. As the chief witnesses examined were Mr. Benjamin, Mr. Russell, and Mr. Bailey—all his friends—the assumption that the hearing was *ex parte*, and therefore unreliable, was simply refreshing for its cool assurance. The testimony *withheld* by the two witnesses last named was, unquestionably, of a more criminal character than what they divulged; but, the facts elicited were as given in the report, and were not controverted. The “full response” promised by the absconded principal was given to the world, a few weeks later, in the columns of a Richmond paper; but, though it asseverated, argued, vilified, and invoked the ear of the just, it failed to wipe away the stain which rested as irrevocably upon his name as the moth on door of a tomb.

The state of the country
at the date of February 15th was one of compara-
State of the Country,
February 15th.

tive peace. Excitement consequent on the several acts of secession had given place to a feeling of anxiety for the future, which few cared to confess. The dim perspective had no clear light to lure the mind on to pleasant depths beyond. Ghosts of a buried greatness seemed to flit in the gloom gathering around. Voices of the illustrious dead seemed to breathe upon the very air of the room where men brooded over the destruction which threatened the Republic. Shadows formed, and melted but to form again, making pictures which made the soul sick—pictures of men in deadly conflict, of burning houses, of suffering women and beggared children, of a capital sacked and ruined, and a land in desolation. These were the visitants to the fireside of every thoughtful citizen; and if there still was a struggle for compromise, it was to appease treason in order to avert the greater terrors of a state of civil war. But, as men suffer and grow strong, so the quiet of February was silently preparing the souls of those made to lead for the great emergencies to come. Out of that ordeal of internal personal struggle came the hearts of fire and nerves of steel, which were to save the Republic when the trumpet called her sons to her defence.

CHAPTER XXX.

PROCEEDINGS OF CONGRESS CONTINUED. ELEVENTH WEEK.
VIRGINIA SHOWS HER COLORS. INTERESTING RESOLUTIONS.
SPEECHES OF FESSENDEN, MASON, KING, CAMPBELL, VANDE-
VER, DE JARNETTE, AND OTHERS. THE SEVEN SLOOPS OF
WAR. REPUBLICAN DECLARATION ON SLAVERY IN THE STATES.

THE Eleventh week of the Thirty-sixth Session of Congress (February 11th-16th) scarcely sustained the interest excited by the previous week's proceedings. The brilliant speeches of that week rendered it one of the most memorable of the session. The week which followed was distinguished by only one or two speeches of note. Virginia "showed her colors" most unmistakably, and, for that reason, if for no other, the Eleventh week will be remembered.

In the Senate, Monday, (February 11th,) a great number of petitions were presented by Messrs. Crittenden and Bigler, for the passage of compromise resolutions. Senator Wade also presented four numerous signed petitions, from citizens of Philadelphia, asking Congress to stand firm by the Union, the Constitution as it is, and the enforcement of the laws.

The Naval Appropriation bill being called, Mr. Hale, (Rep.,) of New Hampshire, submitted several amendments—one of which embraced the building of seven steam sloops-of-war. This called up Hunter, (Dem.,) of Virginia, who "wished to know the amount proposed to be appropriated, and the reasons for it; and why, at this time, it is proposed to make this large addition to the Navy?" Mr. Hale answered that it was a matter recommended by the Navy Department, and had been urged upon Congress for years. The idea of another sailing vessel being added to the navy was an absurdity. The navy thenceforth was to be a steam navy. Mr. Hale then read the recommendations of the Secretary of the Navy on the subject.

Mr. Hunter answered, that, in the then embarrassed state of the Treasury, when the

Government could only obtain money at large dis-

counts, the proposition was inopportune and unwise. What, to him, seemed suspicious was the fact that the vessels proposed were of the class required to enter Southern waters—ports of the Seceded States. He was not willing to vote one dollar for any addition to the navy which looked to the coercion of any State that had seceded.

Mr. Fessenden, (Rep.,) of Maine, reminded Mr. Hunter that precisely the same class of vessels, and the same number, had been recommended by the Committee at the previous session, and that Mallory, of Florida, was Chairman of that committee. Hunter replied that they were recommended by Mr. Mallory because they were of the character and kind required for Southern ports—but, now that all these States had seceded, for whose benefit they were especially designed, there was no propriety in the project being brought forward again without there was a design to use the vessels *against* those very States.

Mr. Grimes, (Rep.,) of Iowa, remarked upon the absolute requirements of the navy—that no country was any longer building sailing vessels for naval use—that the cost of the proposed sloops was only about \$300,000 each—that Great Britain had two hundred and seventy-four of the same class of vessels—that the economy of manning and keeping in service of such vessels was so great over that required by heavier craft, as to make the building a matter of actual economy to the Treasury. Upon that ground alone had the measure been brought forward. No "coercion" was proposed by their construction.

After further discussion, which was participated in by Messrs. Hunter, Grimes, Pearce,

Seven Steam-Sloops
provided for.

and Polk, the amendment was adopted—30 to 18.

Mason's Speech in
Opposition.

When the bill was reported to the Senate, on its passage, a discussion followed of an interesting character. Mason, (Dem.,) of Virginia, spoke against the special amendment proposed. He referred to the depressed state of the Treasury, remarking that Government was in an actual state of destitution. For what, then, were these additional expenses to be incurred at that particular moment? He could not shut his eyes to the fact that seven States had seceded; six of them had joined, formed a Government and a nationality, and by no vote of his should there be any additions to the military force of the Government, which was to be used to coerce those States.

Mr. Fessenden answered for the Committee. He said it was time that Senators should understand precisely what the condition of the country was, and who was responsible for it. It was a singular address, coming from that quarter, to appeal to the Republican side to know what was the object of the proposition! Who had been in power for years? The proposition to build the steamers had come from a Democratic President, and a Democratic Committee of a Democratic Senate, year after year. Why did the gentleman question the Republicans about it? What change has transpired, Mr. Fessenden wished to know, that rendered the measure less requisite now than heretofore? The only reason offered by the Virginia Senator was, that six States had seceded, had seized property, had assailed the Government! Mr. Fessenden continued:

"It is almost impossible to refrain from asking, Who does the Senator represent here? Is he a Senator of the United States here on this floor, and does he stand up here and say, after all these things have taken place, that they render it unnecessary now to increase the naval force of the country? I recognize the fact, as was said by the Senator from Mississippi, (Mr. Davis,) that, so long as I am here, I am bound to perform my duty as a Senator of the United States, without any reference to what may be done outside of this Chamber. So long as I stay here, and receive the money of the Government, I will look out, to the best of my ability, for the in-

terests of the Government. And if I can no longer do that, I will leave my place here and return

Fessenden's Defence.

to my State, and say I am at its service. Now, sir, how do we stand as Senators—we who remain, whose States have not seceded? We look on these facts, remarkable as they are, as taking place outside of this Chamber, and we are not bound to deal with them as negotiations. We are to look on them as against the interest, the welfare of the Government and the Constitution of the United States, under which we live. That is the point of view from which we must look at them. But men seem to say to themselves and the country, 'I, standing here as a member of this Government, must look out and keep my eyes open, not that this Government has the advantage of my counsels, but that those outside, who are waging war against it, are to have the benefit of my counsels and my aid.' Why, sir, taken in consideration and in connection with this question, this bill of my friend from Vermont (Mr. Collamer) is simply a bill to provide that, if the revenue of the Government cannot be collected in a particular place, or a particular point, then these places shall cease to be recognized as places where the revenue shall be legally collected. Yet this is commented on as a design of coercion. Do we not owe it to the foreign Governments themselves, that we should either enforce our own laws in these ports, or else declare them not to be legal ports of entry for the United States?"

Mr. Mason replied, "Clearly so!" and added that, if the Committee could avow that reason in the bill—that the State of South Carolina is no longer a member of the Confederacy, and is beyond the jurisdiction of the Government—let them avow it!

Mr. Fessenden asked what difference there was, as a point of law, whether or not the motive was avowed. It was not necessary that the motive should stand declared. He resumed:

"We simply declare that there may be cases in which it may be difficult for the United States to collect revenue in particular places, by the ordinary course of proceedings, and we give the President the power to say that we shall no longer attempt to collect the revenue, for it shall cease to be a port where vessels may legally enter, under the authority of the United States; when we declare that it is no longer a port of the United States, a port of entry, and give notice of the fact, then comes a time when, if foreign vessels undertake to consider it a port of the United States, they will become amenable to the laws, and must take the consequences. It

was in reference to this fact that Fessenden's Defence. these people are now availing themselves of this being a port of the United States, and collect the revenue and put it into their own pockets, when in fact they are nobody in the eyes of the law, and in the eyes of the world. We are going on now, also, furnishing them postal facilities, we paying the expense and they receiving the money. Now the Senator says this won't do. Either declare war, or else declare that they are no longer a part of the United States. I don't propose to do either. I propose to do simply that which is necessary for our own protection and advantage. I am acting yet as Senator of the United States, and I will legislate for the United States, and not for South Carolina, or any other Seceding State; and as long as I stay here, I take it that it is my duty. Nor am I going to be diverted from this by talk about force and coercion. The time may come when it will be necessary for us to speak plain. I am willing to speak plain now, and I say, speaking for myself, that if the time ever does come when it will be necessary to use force to execute the laws of the United States, under the Constitution, I am perfectly ready to do it. But I trust I shall have no such necessity. The measure of my friend from Vermont is a measure of peace, and the measure of constructing these additional vessels is a measure of peace. I do not suppose anybody ever dreamed of making this appropriation for the purpose of making war upon these States. It may be war will come. It may be these difficulties will grow vastly greater than they are now, and when that time comes I trust we shall be ready to meet our responsibilities like men. But the question is now, What is necessary for us to do for the interest of this country, in reference to its naval force? Although the Senator will not vote for it, because it may be that it will give additional force to the Government which he represents here, I say to him that is no objection to my mind. I am perfectly willing it should have that additional force, when I am so well defended by the recommendation of a Democratic President, year after year, and supported by a Democratic Senator."

Mason's Rejoinder. Mason retorted that the Senator had enlightened him, by confessing that the increased naval force had some reference to the condition of matters in the Seceded States. He continued:

"The Senator undertakes to ask me who I represent? I did not ask the Senator that question. I have that respect for him to which he is entitled by his position, his mind, and his intellect. He is authorized to say for himself what he represents. I

will tell whom I represent. I represent the sovereign State of Virginia, to whom I alone am amenable for what I may do, or what I may say. I heard the Senator from Mississippi, to whom he refers, with equal approbation to himself. I will do nothing that will stand in the way of the full and complete administration of this Government as long as I remain one of the participants in its administration; but I have reason to believe that the Government is initiating a policy that will lead to civil war, and that will lead to unnecessary war, and will minister to the passions of bad men. I will not vote to increase the naval armament for that purpose; and if I have reason to believe that the purpose is to strengthen the arm of the Government with a view to prospective war, I am doing my duty as a Senator of the United States in doing what I can to prevent it. The Hon. Senator has not favored us with his view of the reasonable propriety of incurring this expenditure in the present condition of the Treasury, but has contented himself with the recommendation of a Democratic President. When Senators, who are soon to become the dominant power, will not say whether they are going to war or not, but shadow it out darkly, I will not vote a dollar until there is a settled policy, an established and understood policy, for the new state of things. I want to know what is to be the policy of this Government; whether they are going to make war on the Seceding States, or whether they will let them peacefully withdraw upon terms to be settled by negotiation, or whether we are to remain here till the 4th of March, with these purposes only darkly shadowed forth, as was done by the Senator from New York (Mr. Seward) the other day, and as has been done by the Senator from Maine to-day, that there may be a state of things when it is necessary to coerce a State. We have that policy shadowed out, but not avowed. It is time to establish a policy. Let us know what is to be done. I desire as a Senator of the United States to know how to shape my vote in relation to their measures of public policy; and until we know whether civil war is to be waged or not, because of Secession, I will never vote a dollar to increase the navy.

King, (Rep.) of New York, followed. He said he had, at former sessions, voted against any increase of the navy, because he did not see the necessity for it. But now that treason was abroad in the land, he believed there was a necessity for the increase of the armament and defensive power of the country. He declared:

"This Government and this country cannot be

King's call for the
Use of Force.

King's Call for the
Use of Force.

peaceably destroyed, or overthrown, or divided. The sovereigns themselves will come here before that is done, even if their representatives could prove recreant in their defence of it. It is well that the whole country should know that the people of this country will not consent, they will never consent to the peaceable destruction or dissolution of the Government. They would be recreant to the highest duties of men, to their country, to their race, to themselves, and to the high trust of the ancestry who acquired it, if they could entertain a thought of the destruction of this country. I don't believe it can be destroyed. I would use forbearance and patience; I would extend every degree of kindness, and make every effort at conciliation to these people. But, to their right to divide this Government, to take a State out of the Union, or, least of all, that they should peaceably have a right to break up this Government, I would never admit. I don't know what these gentlemen consider peace. They have armed themselves, and have even taken arms belonging to this Government. Cabinet officers and members of the Senate have been interested in this treason, and a foul, infamous plot has existed. I have no doubt, to destroy this Government. Providence, rather than the skill and attention of the people, has arrested it; some of the men have been driven out of the Cabinet in disgrace; and an indictment found against one of them for embezzlement, or petty larceny, or grand larceny, or for any other infamous attempt which men can commit. There were members of Congress found in the war of 1812 who voted against the supplies for Government, and it is not surprising that such should be found in Congress at any time. The greatest latitude of opinion exists in this country, and so it should. Men cannot talk treason—they must act it—and he who acts it, in my judgment, should take the fate of a traitor, and should not seek to escape by pretending that he can commit it peaceably against the country. I cannot conceive the case of a man of honor who could steal into a house, partly his own, and clandestinely and privately rob it of its means of strength and defence, and then assail it and claim a right to do so peacefully, and say he should not be punished or disturbed by force. I tell these gentlemen that, in my judgment, this treason must come to an end—peacefully, I hope; but never, in my judgment, peacefully, if by an ignominious submission of the honor of the people of this country to traitors. Never! I desire peace, but I would provide, amply provide, for the means of defence of the country, by war, if necessary."

Green, (Dem.,) of Missouri, obtained the floor, when the Senate adjourned.

In the House, Monday, (February 11th,) Martin, of Virginia, introduced a resolution to request the several State Legislatures to call special elections, at which the whole people should vote for or against the Crittenden resolutions. Referred to the Judiciary Committee.

Craige, (Dem.,) of North Carolina, submitted the following:

Interesting Resolutions.

"Whereas, South Carolina, Georgia, Alabama, Mississippi, Louisiana, and Florida have seceded from the Confederacy of the United States, and established a Southern Confederacy; and*whereas, it is desirable that the most amicable relations should exist between the States of the two Governments, and war be avoided, as the greatest calamity that can result: Therefore,

Resolved, by the Senate and House of Representatives, That the President be and is hereby required to acknowledge the independence of the said Southern Confederacy, as soon as official information of its establishment shall be received, and that he receive such Commissioners as may be appointed by that Government for an amicable adjustment of all matters in dispute."

This was referred to the Committee on Foreign Affairs. The subject of the seizure of the Mint at New Orleans was then brought before the House, in a preamble and resolution, by McClernand, (Dem.,) of Illinois, reciting that by the seizure of the Mint, money, and Custom-house by the revolutionary authorities of Louisiana, the United States are put at defiance, and calling upon the President, if not incompatible with the public interests, for all the facts in the case, and what steps, if any, have been taken, or contemplated, to recover possession of the said property. Adopted.

Ferry, (Rep.,) of Connecticut, asked leave to offer a resolution instructing the Committee on the Judiciary to inquire into the expediency of so amending the Constitution of the United States as expressly to forbid the withdrawal of any State from the Union without the concurrent vote of two-thirds of both Houses of Congress, the approval of the President, and the consent of all the States, and that the Committee report by joint resolution or otherwise. Objected to by Winslow, of North Carolina, but afterwards introduced and laid over.

Interesting Resolutions.

Mr. McKeon, (Rep.,) of New York, introduced the following:

"Whereas, The Gulf States have assumed to secede from the Union, and it is deemed important to prevent the Border Slave States from following their example; and whereas, it is believed that those who are inflexibly opposed to any measure of compromise or concession that involves a sacrifice of principle, or the extension of Slavery, would, nevertheless, cheerfully concur in any lawful measure for the emancipation of the slaves: Therefore,

"Resolved, That the Select Committee of Five be instructed to inquire whether, by the consent of the people, or of the State Governments, or by compensating the slaveholders, it be practicable for the General Government to procure the emancipation of the slaves in some, or all of the Border States; and if so, to report a bill for that purpose."

Mr. Sickles, (Dem.,) of New York, offered a resolution calling on the Secretary of the Treasury to inform the House whether there have been any obstructions to the revenue laws in South Carolina, Georgia, Alabama, and Louisiana; also, what measures have been taken to secure the revenue cutters from seizure, and to recover those which have been seized, together with other property. This resolution was adopted, after an amendment, on motion of Burnett, (Dem.,) of Kentucky, calling on the President to furnish the reasons which have induced him to bring a large number of troops to Washington, why they are kept here, and whether he has any information showing a conspiracy to seize the Capitol, and prevent the inauguration of the President-elect.

Palmer, (Rep.,) of New York, then brought forward the following declaratory resolves, in order forever to put to rest the question of a right to interfere with Slavery in the States:

Slavery in the States. Republican Resolutions. "Resolved, That neither the Federal Government nor the people or Government of non-Slaveholding States have a purpose or constitutional right to legislate upon or interfere with Slavery in any State of the Union.

"Resolved, That those persons in the North who do not subscribe to the foregoing propositions are too insignificant in numbers or influence to excite the serious attention or alarm of any portion of the people of the Republic, and that the increase in their numbers and influence does not keep pace with the increase of the aggregate population of the Union."

Their introduction was immediately followed by a demand for the previous

Slavery in the States. Republican Resolutions.

question, which, being seconded, the main question was ordered, and the yeas and nays called on the first resolution.

These proceedings opened a new light on the controversy. The Disunion leaders, and many Northern Democrats, had so repeatedly charged upon the dominant party a settled design to interfere with Slavery in the States, that a portion of even the Northern public really had grown to believe there was truth in the preposterous charge. This resolution, unmasking the truth, would not only exonerate the party aspersed, but would convict its enemies of misrepresentation. It therefore excited both sections of the House very much. Efforts were made to put the resolutions aside, but the Republicans crowded it to a vote. Pending the call of the roll, on the first resolution, Hindman, of Arkansas, demanded, amid shouts of "Order!" from the Northern men, to know if Mr. Lincoln had not said the Union could not exist one-half slave and the other half free; and if that did not indicate a settled purpose to interfere with Slavery in the States.

Boteler, (Am.,) of Virginia, wished the resolution to be divided, that they might consider separately the purpose and the right; but the yeas and nays having been called, and the voting having commenced, the resolution could not be divided. Hindman, amid great confusion, rose to a question of order, insisting on the right to call for a division, as suggested by Mr. Boteler. He believed the assertion in the resolution that the people of the non-slaveholding States have no purpose to interfere with Slavery was untrue. In spite of the call to order from the Republicans, and the loud demand "Call the roll!" the Arkansas member continued to the end of his denunciation.

Burnett, of Kentucky, could not stultify himself by voting for what he believed to be false. He wished the resolution divided, that he might vote for a portion of it.

Bocock, of Virginia, asked to be excused from voting. Many others offered excuses for not going upon the record. Ruffin, of North Carolina, regarded it as a political

trick. Brabson, of Tennessee, could not vote as to the *purposes* of the North, but would, nevertheless, vote for the resolution. Hindman taunted him, in an offensive manner, with being a "submissionist." Cox, (Dem.,) of Ohio, approved that portion of the resolution which denies the right to interfere with Slavery in the States. As to the purpose of the Northern people thus to interfere, he believed the hitherto controlling portion of the dominant party of the North had the purpose then to interfere, but that the majority of the people of the North have no such purpose now. If they ever had, they are cured. He voted aye.

The vote, as finally announced, stood 106 to 4, being no quorum. Several Republicans, not having voted, asked to have their names recorded. McClernand suggested that the roll be called again. This was done, when the resolution passed—116 to 4. Howard, (Dem.,) of Ohio, then moved to reconsider the vote, when Burnett, of Kentucky, again asked that the resolution should be divided.

Sherman, (Rep.,) of Ohio, did not wish that Southern men should be called upon to decide as to the *purposes* of the North—the North would decide for itself in that respect. He therefore offered the following substitute:

"Resolved, That neither the Federal Government nor the people or Governments of the non-slaveholding States have the right to legislate upon or interfere with Slavery in any slaveholding State in the Union."

This substitute, designed to cover the entire question before the House, as a substitute for Mr. Palmer's two resolutions, passed under the operation of the previous question: yeas 161—nays none.

At the Tuesday's session of the House, Mr. Sherman had the communication of the Secretary of the Treasury read, stating the critical condition of the Government finances, [see page 390.] Mr. Sherman offered a bill providing for the acceptance of the States' guarantees, as proposed by the Secretary; but Garnett, of Virginia, objected to the bill being reported. He would allow it to be read, but would not, so long as he was a member of the House, allow it to be reported.

Holman, (Dem.,) of Indiana, introduced

resolutions, "adopted by citizens of Kentucky and Indiana," which proposed

A Hoosier Proposition.

a unique settlement of difficulties, viz.: that, as Kentucky and Indiana were friends, they would not allow any line to be drawn between them in the formation of a new Confederacy—that other States be called upon to adopt the same rule of conduct, thus to "kick the line of division between two confederacies eastward into the Atlantic, southward into the Gulf, westward into the Pacific, and northward into Canada." The resolution, although offered in humor, was, nevertheless, a true expression of the feelings of States for their neighbors.

The Special Committee appointed to investigate the frauds perpetrated in

Report on the Bailey Robbery.

the Interior Department offered their report, [see page 392,] which was read, though its consideration was postponed. It was a very thorough exposition of the robbery and frauds perpetrated by Bailey and Floyd, to which Russell was accessory. It embraced a history of the Indian Trust fund; the manner of keeping the bonds; the bonds abstracted; the negotiations between Russell and Bailey; Bailey's motives for taking the bonds; Bailey's confession; the disposition made of the bonds; the acceptances issued by the Secretary of War to an amount exceeding six millions of dollars; what was done with the acceptances; further light on Mr. Floyd's proceedings; Mr. Russell's statement regarding the amount of the acceptances negotiated by him; the peculiar records of the War Department; the payments made to Russell & Co.; Mr. Benjamin's explicit testimony, &c., &c. It closed, recommending special legislation in the matter, to provide for the more effectual punishment of crimes of the nature of those brought to their notice, and to compel the disclosure of evidence by witnesses. The want of power in these respects threatened to thwart the ends of justice.

The consideration of the Pacific Railway bill being the special order, was resumed. In the course of the discussion which followed, the Virginia members, of the revolutionary school, put forth their several

Virginia Declares
against Submission.

declarations that Virginia was ready for revolt. Pryor protested against the measure of building a railroad by Government subsidies and appropriations. There was no warrant for such procedure in the Constitution. The entire scheme was of the most chimerical character. It involved an expenditure which no contrivance of mathematic progression could ascertain. Besides, the Treasury was bankrupt, and a mendicant on the credit of the States. He moved to lay the Senate's amendment on the table, which was disagreed to.

Sickles, (Dem.,) of New York, answered that, as the best scientific ability of the country had pronounced the plan feasible—as the Pierce and Buchanan administrations, the President of the Southern Confederacy, and all parties, by their platforms, had declared for the construction of the railway, he thought the time for objections past. If there was a want of credit in the Government, who was responsible for it? Mr. Sickles believed, however, that as Tennessee had spoken, by fifty thousand majority, for the Union—as Kentucky was loyal—as Virginia had thrown her influence on the side of the Union—the credit of Government would be restored, energy would revive, and, with the repose of the people, would come the old prosperity of the country.

Pryor answered tartly that, once for all, he wished to tell the House and the country that Virginia had *not* pronounced for submission; but that, in her abundance of magnanimity and patriotism, she will make one more effort for the preservation of the Union. Unless, however, justice and equality shall be secured to her, she will sever the bonds which now hold her to an oppressive association.

Sickles replied that he had not ventured to be the prophet of Virginia, and would not predict what she may do, but he did affirm that she has responded to the appeal of the Northern masses to submit the difficulties of arbitrament to reason, and not passion. She has recently declared herself for the Union, and what she may declare at some future day he knew not.

Leake, (Dem.,) of Virginia, said that Virginia is anxious to preserve the Union, if she can get justice; and, if not, she will trust to

her own right arm, and appeal to no earthly power for aid. She has decided, by the election of 120 out of 152 delegates, in favor of secession, unless she shall obtain ample guarantees by the 4th of March. This she has determined in the most solemn manner.

Mr. Pryor caused to be read a paragraph from the *Richmond Whig*—called the “submission” organ, in the sense of certain gentlemen on this floor but really, in the sense of valor; the article from the *Whig*, while disabusing the impression abroad, as to the result of the election, says: “To suppose that she has declared to submit to a rule, according to the Chicago Platform, is a gross and pernicious error. She is determined not to remain in connection with the Northern States unless satisfactory assurance be given that every constitutional right will be recognized, and perfect equality be given, free from all equivocation.”

[All of which simply proved that secession was a foregone conclusion, no matter for what the people of Virginia had voted. Providing the “Peace Congress” did not obtain a concession to all the demands of Virginia’s disunion leaders, the programme was disunion.]

In the Senate, Tuesday, Mr. Crittenden presented a petition, signed by 23,500 citizens of Massachusetts, asking for favorable action on the Crittenden Compromise resolutions. Mr. Crittenden expressed much satisfaction at this renewed proof of the loyalty of the old patriot State to the Union.

The presentation of this petition called up Mr. Sumner, (Rep.,) of Massachusetts. He said in substance:

“These petitioners ask, as I understand, for the passage of what is familiarly known as the Crittenden Propositions. Their best apology for this petition is their ignorance of the character of those propositions. Had they known what they were, they never would have put their names to that petition. Those resolutions go beyond the Breckenridge Platform, which has already been solemnly condemned by the American people. They foist into the *Constitution* of the United States constitutional guarantees of Slavery which the framers of that instrument never gave—which Washington, Jefferson, Franklin, Patrick Henry, and John Jay, if we may

Sumner's Anti-Compromise Speech.

Sumner's Anti-Compromise Speech.

credit the testimony of their lives and opinions, would have scorned! Had any such proposition been made the condition of union, this Union *never could have been formed*. Mr. Madison told us in the Convention that it was wrong to attempt to put in the Constitution the idea of property in man, but these propositions propose to interpolate that idea, and, practically carrying it out, they run a black line on the latitude of 36 degrees, 30 minutes, and give constitutional protection to Slavery in all the Territory south of that line now belonging to the Republic; while, to make the case still more oppressive, and still more impossible to be received at the North, they make it applicable to *all the Territory hereafter to be acquired*, so that the flag of the Republic, as it moves southward, shall always be the flag of Slavery, and every future acquisition in that direction shall be Africanized, and that by virtue of the Constitution of the United States. That is about enough in this age of civilization.

"But that is not all. Still further, they insist upon *guarantees to Slavery* in the *National Capital*, and in other places within the Federal jurisdiction. Nor is this all. As if to make it especially offensive to the people of the North, and to the people of Massachusetts, they propose to despoil our colored fellow-citizens of their political franchise, a long time secured to them by the institutions of that honored Commonwealth. Sir, it is for these things that these petitioners now pray. They insist they shall be interpolated in the Constitution of the United States. I have an infinite respect for the right of petition, and I desire always to promote the interests, and to carry forward the just and proper desires, of my fellow-citizens. But I must express my regret that these gentlemen have missed the opportunity, after uniting in such numbers, of calling plainly and unequivocally, as savers of the Union of their fathers, for two things—two things all-sufficient for the present occasion, and with regard to which I should expect the sympathies of the Hon. Senator from Kentucky: First, the Constitution of the United States, as administered by George Washington, to be preserved intact and blameless in its text, without any tinkering or patching; and, secondly, the verdict of the people last November, by which Abraham Lincoln was elected President of the United States, to be enforced without price or faltering. There is a ground upon which every patriot and loyal citizen of the land can stand, and he has over him then the Constitution and the flag of his country. You had better have that, sir, than any scheme, device, jugglery, or hocus pocus called a '*compromise*.' On such ground, all men who really love the Union and the country can take their stand without an 'if' or

a 'but.' I remember, sir, on the night of the passage of the Nebraska bill, it was after midnight. I made the declaration in debate, that the time for compromises had passed. The events now taking place all verify this truth.

Sumner's Anti-Compromise Speech.

"It is obvious that the existing difficulties can now be arranged only on permanent principles of justice, and freedom, and humanity. Any seeming settlement founded upon an abandonment of principle will be but a miserable patch-work, which cannot succeed. It was only a short time ago, you will remember, sir, the whole country was filled with shame and dismay, as the report came to us of the surrender of Southern forts; and when it was known that Fort Sumter, too, was about to be given up, a cry went forth from the heart of the people, by which that fortress was saved, at least, for the present. Propositions are now made and brought forward by the Senator from Kentucky, and now enforced by a petition from the people of my own State, calling upon the North to surrender its principles—to surrender its impregnable principles of human rights, which constitute our Northern forts. It is even proposed now to surrender the principle of freedom in the Territories—the Fort Sumter of the North. I trust, sir, they will yet be saved; and as their safety depends upon the President, I trust that the cry will go forth from the people like that which went forth from them a few days ago, to save that other Fort Sumter when it was menaced. For myself, if I stand with many, or with few, or alone, I have but one thing to say—no surrender of the Fort Sumter of the North—no surrender of any of our Northern forts. No, sir, not one! But the bankers and merchants throw out their fears, and they tell us the Government shall not have money if we do not surrender our principles. Then, again, sir, I appeal to the people. I believe the American people are not more unpatriotic than the French, and only want the opportunity to show it—to come forward and relieve the necessities of the Government, as the French people recently, at the hint of Louis Napoleon, came forward with a loan composed of small sums. Our Government stands upon the aggregate virtue and intelligence of the people, and it only remains now that we should make an appeal to the aggregate wealth of the people—the farmer, the laborer, the mechanic. Every man who truly loves his country will be willing to give of his earnings to uphold the Constitution and the national flag; and out of these small earnings, inspired by a genuine patriotism, we shall have a full Treasury. There is but one thing now for the North to do—that is, to stand firm in their position. They may be guided by one of the greatest patriots of the age—I

Sumner's Anti-Compromise Speech.

mean Lafayette—who, in his old age, when his experience had been ripened by time, and while looking over the unutterable calamities of the old French Revolution, said, 'It was his solemn duty to declare that, in his opinion, they were to be referred not to the bad passions of men, but to those timid counsels that sought to substitute compromise for principle.' Lafayette may well speak to his American fellow-citizens now, to caution them against any timid counsels that would substitute compromise for principles."

In answer to Mr. Crittenden's query, if he had no proposition of his own to offer, Mr. Sumner replied he had—the Constitution as administered by Washington and the fathers of the Government. Mr. Crittenden then asked, why he did not submit that as a proposition? to which Mr. Sumner answered that the Clark Resolution covered the ground. [See page 184.]

It was endeavored to cut off debate by calling up the special order, but, by a vote of 23 to 21, that order was postponed. Trumbull, (Rep.,) of Illinois, said, if the debate was to go on, both sides must have a chance. So much had been charged on the Republican party that he wished to see the responsibility placed where it belongs—on the corruption and imbecility, irresolution, if he might not say the complicity with treason itself, on the part of a profligate power.

Mr. Crittenden appealed to Senators not to stand by platforms, and let the Union perish. He said we were pledged to stand by and preserve the Union. But all compromise seemed to be rejected. He believed that they must do something, or the country could not be saved. He wished to practice every forbearance he could, but why do men come here and talk of business when the Union is in danger?

Mr. Sumner said that the Senator from Kentucky (Crittenden) was not aware of his own popularity in Massachusetts, and of the willingness of the people to adopt anything bearing his name, which they so much respect. But, if they had examined his propositions they would have rejected them. The Senator intimated, if he understood aright, that the propositions were not applicable to territory hereafter acquired.

Mr. Crittenden said that he did not consider that an essential point.

After some further colloquial discussion, the Navy bill was taken up, when Mr. Green, (Dem.,) of Missouri, addressed the Senate against the proposed amendment to build seven steam sloop-of-war. His language was violent, and his entire speech quite in harmony with the turbulent spirit of disunion. A digest of his speech—which really was an important confession of discomfiture at the unexpected Union face of affairs in the Border Slave States—is as follows:

"The question now was, whether we should make an appropriation of \$1,200,000 to build seven new steam sloop-of-war. At a time when the credit of the Government is ruined, and it could not pay private claims of a few dollars, it is then proposed to pay this large sum for war. Senators could vote a Homestead bill to give homes to scoundrels and vagabonds of large cities, and could vote \$120,000,000 to build a railroad, and now they come up and ask \$1,200,000 to build steamers to coerce States. Not in the language of their eagle-eyed Senator from New York, but of the bellicose Senator whose voice is still for war. They talk of the enforcement of the laws. Every man says, Enforce the laws and protect the public property. What is public property? We have public property in London, where our Minister resides, but won't take sloop there. Have you public property in South Carolina? No, not one single particle! Fort Sumter this day is wrongfully held; and this is an act of war against South Carolina. He admitted that it was built by the Government, but he said it was built for the protection of the port of Charleston, and it was now frowning with guns against the port it was built to protect.

"The whole resolves itself to the question, Has a State a right to secede? and she has actually exercised the right. Individuals in a State may commit treason, but whether a State can is another question. The Government was a multiple of units, and a State comes in a separate unit, and is an entirety. A county in a State is an integral part of a State, and if she tried to break off it would be rebellion. But a State comes in by an act of volition, and can go out the same. Each State must judge for itself, if she has reason for going out, and only the enlightened judgment of the world can punish a State. No State ever was coerced into the Union, nor could one be. South Carolina has as much right to Fort Columbus, in New York Harbor, as the United

Green's Pronunciamento.

Green's Pronunciation.

States has to Fort Sumter, and as much right to attack it; and he pledged one feeble arm to act in the contingency which might arise. He commended the forbearance of South Carolina. He had feared she would be too hasty. He wanted all the States to act. He knew Missouri to be for the Union. Even the supporters of Rhett and Yancey are for Union, but he meant a Union which would give protection to all. He was tired of all these petitions for Union. He wanted a Union about which there would be no quarreling, and which would give rights to all, or else he wanted no Union but separation. He said this was not a mere question of Slavery, but it affects every property-holder of the North. Missouri, though slow, would act; but the action of Kentucky, Tennessee, and Virginia has been disastrous. If the Border States had acted with the South, we would have had peaceable separation. Every one of the Slaveholding States ought to have gone out together. As sure as no adjustment was made, all would go but Delaware, Maryland, and Virginia. He was afraid of Virginia, she was so slow. Arkansas, Missouri, and Kansas would go out. [Laughter.] He said Kansas, after the hot-house plants of emigration die out, would fall back into the arms of Missouri. He contended that the secret object of the Republican party was to circumscribe Slavery, so as to extinguish it.

"He was in favor of the proposition of the Senator from Kentucky, but there must be a reaction in the public mind of the North, or else these amendments would go for nothing. This thing must be settled either by adjustment or separation. There could be no honorable adjustment unless there was a retraction of Northern opinion. The Senate cannot amend the Constitution, and had better let the question alone and attend to the regular business, and wait for a proper adjustment. But if there was no change of Northern opinion, he would not ask for any Union. He deprecated war, and, in this civilized age of the world, he thought all the difficulties ought to be settled without recourse to arms and war. Let the whole Southern States act together, and let them negotiate with the North as equals, and if they cannot agree, then let there be peaceable and quiet separation."

The amendment, after this harangue, was passed—27 to 17. Among those Democrats who voted with the Republicans were Messrs. Douglas, Bigler, and Latham, and Johnson, (Am.,) of Tennessee—a vote which, in the estimation of the Southern interest, placed them in the category of friends to coercion.

Wednesday (Feb. 13th) was consumed, in

both Houses, in counting the electoral vote. [See Chapter XXVII.]

In the Senate, Thursday, Mr. Bingham, (Rep.,) of Michigan, presented the joint resolutions of the Michigan State Legislature, expressing the adherence of Michigan to the Union; offering the military force of the State to the Federal Government, and asking that no concessions be made to traitors. Mr. Bingham Michigan Sentiment. said that these resolutions had passed with great unanimity, and he thought they expressed the feeling of the State. He said that they would adhere to the Constitution as it is, and that they had no sympathy with treason, or those in the Government who took measures to destroy it. He hoped his Southern friends would yet come to see that the best way for them was to submit to the beneficent rule of the Government; but if not, and they persisted in their efforts to destroy it, they must take the responsibility.

Mr. Wilkinson, (Rep.,) of Minnesota, presented a memorial, signed by all the Republican and several Democratic members of the Minnesota Legislature, calling upon Congress to preserve the Constitution as it is, and to enforce the laws; also, to keep open the rivers, and to recapture all the seized forts. In presenting this memorial, the Senator remarked that, to arrive at the wishes of the mass of people, it was necessary to visit the country, and to get clear of city curb-stone influences. He said the memorial represented the feeling and spirit of the great North-west. "No menaces, no threats of war, no military display, no tramp of armed men, no glittering bayonets, would drive the people of that section from their position."

Rice, (Dem.,) of Minnesota, also presented a petition from many citizens of the same State, asking for compromise.

An unusually large number of petitions were presented by Messrs. Wade, Seward, Crittenden, and Cameron—*pro* and *con* compromise.

The House, Thursday, after much time consumed in "personal explanations," resumed consideration of the Corwin Report, when Campbell, (Rep.,) of Pennsylvania, delivered his views in a speech marked with

Campbell's Speech.

a decision and force which commanded attention. A digest of his views is as

follows:

"He alluded at some length to the present state of the country—a state calculated to awaken every man to a sense of peril. If every effort at conciliation should fail, the true way was to meet the crisis as men ready for duty in a just cause—even to the laying down of their lives. If those who have seized the forts, arsenals, and other public property, surrendered them, he would hear their complaints, and, if well founded, furnish the measures of redress. What reason have the enemies of the Union to oppose the peaceful inauguration of Mr. Lincoln, who was elected strictly according to the Constitution? Though the vessel of State was now dashed about, a pilot will presently be found. He argued that our Government is a grand nation of people and not of States. It is supreme, and the heresy of Secession can make no impression on reasonable minds. Secession is rebellion. In the Seceded States there are men true to the Government, and who preserve their alliance to the Union. Honor and humanity demand they be protected. Any other course would sink the Government to perdition. Any Government not protecting them from persecution, confiscation, and death, is not worthy of that name. There are no grievances which cannot be redressed in the Union. He was willing to do something for Maryland, Kentucky, Tennessee, and other States, and for loyal citizens in Georgia and Alabama who require assistance. He argued that Mr. Crittenden's proposition, in effect, was condemned in the last Presidential election by an overwhelming majority. In the language of Clay, no earthly power should induce him to vote for a specific measure for the introduction of Slavery where it did not before exist, whether south or north of the parallel of 36 degrees, 30 minutes. The proposition of the Select Committee met his approval. He was in favor of the passage of the resolution recommending the repeal of the Personal Liberty laws, and of the bill amendatory of the Fugitive Slave act. It was in the power of the Slave States to quiet this agitation by abandoning extreme views, giving up the Crittenden measure, and other impossibilities, and combining on the admission of New Mexico as a State in the Union. This would settle the chief question of difficulty, namely, that relating to the Territories. Should conciliatory measures here fail, he would advocate the calling of a National Convention. At all events, Pennsylvania will stand by the Union as it is."

The Special Committee, appointed [see page 284] to inquire into, and to report on

the facts as to an alleged conspiracy to seize the Capitol, reported, through Mr.

Report of the Conspiracy Committee.

Howard, Chairman, who presented what the Committee supposed to be a unanimous report. It read as follows:

"The Committee entered upon the investigation under a deep sense of the importance and the intrinsic difficulty of the inquiry. To prove the existence of a secret organization having for its object the resistance to and the overthrow of the Government would, in the very nature of the case, be a difficult task, if such an organization really existed. On the other hand, in a time of high excitement, consequent upon the revolutionary events transpiring all around us, and the very air filled with rumors, and individuals indulging in most extravagant expressions of fears and threats, it might well be thought difficult to elicit such clear proof as would enable the Committee to pronounce authoritatively that no such organization existed, and thus contribute to the quiet of the public mind and the peace of the country. The Committee have pursued their labors with a determination on their part to ascertain the real facts, so far as possible; and if sometimes they have permitted inquiries and admitted testimony not strictly within the rules of evidence or within the scope of the resolutions, it is to be attributed to their great anxiety to elicit the real facts, and to remove unfounded apprehensions. The extraordinary excitement existing prior to the late Presidential election led disaffected persons of high and low positions, after the result of that election became known, to consult together on the question of submitting to that result, and also upon various modes of resistance—among other modes, resistance to the counting of the ballots and to the inauguration of Mr. Lincoln, the seizure of the Capitol and the District of Columbia, were discussed formally in this city and elsewhere; but too much diversity of opinion seems to have existed to admit of the adoption of any well-organized plan until some of the States commenced to reduce their theories of secession to practice. Since then, persons thus disaffected seem to have adopted the idea that all resistance to the Government, if there is to be any, should have at least the color of State authority. If the purpose was at any time entertained of forming an organization in secret, or open, to seize the District of Columbia, attack the Capitol, or prevent the inauguration of Mr. Lincoln, it seems to have been rendered contingent upon the secession of either Maryland or Virginia, or both, and the sanction of one of these States. Certain organizations in this District and in Maryland that, prior to the Presidential election, seem

Report of the Con-
spiracy Committee.

to have been openly political
clubs, have since assumed the
character of military organiza-

tions, are now engaged in drilling, and expect to provide themselves with arms, some from the State authorities, and others from private subscriptions. But so far as the Committee were able to learn, their purposes, while they sympathized strongly with secession, there is no proof that they intend to attack either the Capitol or District of Columbia, unless the surrender should be demanded by a State to which they profess a high degree of allegiance. Some of these companies in Baltimore professed to be drilling for the sole purpose of preventing other military companies from passing through the State of Maryland. Whether these representations of the purposes of these companies be correct or not, the Committee have failed to discover any satisfactory evidence that they had any purpose whatever, as a mere mob, without the sanction of State authority, to attack the Capitol, or any other public property in this District, or to seize the District. If it should be admitted that any one of these organizations were hostile to the Government, or entertained unlawful purposes, they are in no proper sense secret, and are not, therefore, such as are contemplated in the resolution of the House.

"The Committee are unanimously of opinion that the evidence produced before them does not prove the existence of a secret organization here or elsewhere, hostile to the Government, that has for its object, upon its own responsibility, an attack upon the Capitol or any other of the public property here, or an interruption of any of the functions of the Government. The Committee submit herewith all the testimony taken upon the subject, and ask that the same and this report be printed, and the Committee be discharged from the further consideration of the subject."

This report was, it afterwards appeared, the result of a compromise, being less positive and direct than the majority desired, owing to a wish to make it unanimous. It was reported as the unanimous voice of the Committee. The members of it were, therefore, taken by surprise when Mr. Branch, (Dem.,)

The Minority Re-
port and Resolution.

of North Carolina—one of
the Committee—arose to
offer a minority report, set-

ting forth that no conspiracy existed, and therefore that the following resolution should receive the sanction of the House:

"Resolved, That the quartering of troops of the regular army in this District and around the Capitol, when not necessary for their protection from a

hostile enemy, and during the session of Congress, is impolitic and offensive, and, if permitted, may become destructive of civil liberty, and, in the opinion of this House the regular troops now in it, ought to be forthwith removed therefrom."

The Minority Report
and Resolution.

To render his surprise successful, the North Carolina member called for the previous question on his resolution. The Committee, however, "ventilated" the gentleman's strategy so much to his discredit that the resolution was tabled by a vote of 125 to 35. English, of Indiana, Florence, of Pennsylvania, and one or two other Northern members, voting with the South. Mr. John Cochrane, (Dem.,) of New York, sustained the Committee's report, as entirely proper. If no conspiracy then existed, the evidence was conclusive that, at no remote period of time, there were rumors, commanding attention, of the existence of organizations inimical to the

Exciting Debate.

peace and safety of the Capital. Hence, the assembling of troops at the Capital, as a precautionary measure, was necessary. Kunkle, of Maryland, was very severe on General Scott and Governor Hicks. He said the whole scheme of inquiry was a false and futile inquisition to furnish a pretext for the calling of troops by the Lieutenant-General—that the scheme originated with him for his own justification, or else it was hatched by the Governor of Maryland, or by his emissaries around the Capital. "The Governor of Maryland," he said, "was the only respectable man in the State who has had the audacity to libel and calumniate his fellow-citizens by his published proclamation of the 3d of January. He has proclaimed that he was in possession of information not accessible to the Legislature, or to the people of the State, and that there did exist in the State an organization of his fellow-citizens, armed and prepared to invade the District and to capture this Capitol."

This bitter assault called up various parties, and, for a while, the confusion was beyond the Speaker's control. It only received its quietus in the vote to table, as recorded above.

Nothing further of interest transpired up to the hour of adjournment.

In the House, Friday, (February 15th,) speeches were made by Vandever, (Rep.,) of Iowa, and De Jarnette, (Dem.,) of Virginia.

The Iowa member's argument was an able and thorough *exposé* of the duplicity practiced by the Southern leaders in the Democratic Conventions at Charleston and Baltimore, and of their duplicity towards the Union. He was interrupted much by Southern men, who sought to parry his points by references to side issues and personal matters. He disapproved the Corwin Report, and stood firmly on the principle of no more Slave Territory forever!

De Jarnette's
Speech.

De Jarnette argued, with much feeling and no little ability, the Southside view of the question of Union. He was very severe on the anti-Slavery sentiment of the North, and of England; and essayed to throw upon it the responsibility of the evils which had come upon the country. He assumed that England's ultimate design was to disrupt the American Confederacy, and that the North was rushing on in a scheme of madness in its crusade against Slavery—which he regarded as not only a just and wise institution, but said it was bound to spread, not only because of its commercial prosperity, but from its agricultural necessity. He closed thus:

"You can never induce England to remain hostile to the South, *because she is dependent on the South*. From her trade with it she derives, annually, an income of more than six hundred millions, besides giving employ to millions of her starving people. What does she derive from the export trade of the North? Not one cent; because it is all consumed. Her bread, when there is a failure in the European crop, she sometimes gets from your ports. That is all. But that does not constitute a basis of trade, because it is consumed, and hence is no source of income.

"We at the South understand the strength of our position. The step we are about to take is not one of our own choosing, but one of necessity. That necessity *you* have created, against our repeated protests, as well as against our threats. You have not heeded our solemn protests, and you have laughed to scorn our threats. As you have scorned our threats, so now we scorn yours, and we *defy* your power!

"Do not, I implore you, suppose that Virginia will submit to oppression. She leaves this Union and will sacrifice all, except her honor and the liberties of her people to preserve it. You now assail both. She has called her young men and her old men together around her council-board. They have left their swords at home, because their presence sometimes engenders strife.

"They want peace, and not war; and if you do not acknowledge the sovereignty of Virginia, and the equality of her people, you will find *them*, too, on the war-path."

This speech, violent as it was—and, indeed, as was all the declamation of disunionist speakers—was charged with a wild eloquence and feeling which rendered it, for the moment, impressive. It served the purpose, however, of fanning the slumbering fires of secession in the State, through which it was quite studiously circulated. When such a speech was delivered, it was spread on the very wings of the wind throughout the South—when a Union speech was made by a Southern man, its echo scarcely reached beyond the walls of the Capitol, except towards the North.

Saturday's session, in the Senate, was devoted entirely to a consideration of the Morrill Tariff bill.

Saturday (February 16th) was private bill day. At the evening session the Corwin Report, being the special order, was before the House, when Somers, (Rep.,) of Maine, Burnham, (Rep.,) of Connecticut, and Waldron, (Rep.,) of Michigan, Beale and Duell, (Reps.,) of New York, Walton, (Rep.,) of Vermont, all delivered speeches of a strongly anti-compromise tone. The first was particularly pointed and forcible in his remarks. We may quote:

"The difficulties that threaten the peace and stability of the nation are the results of an attempt to override Civilization by forcing Slavery on enlightened communities. The advocates of Slavery are trying to harmonize an intensified despotism with free schools and Christianity; they insult the intelligence of the North by declaring that wrong is right, and they propose to gag all who presume to differ from them. They had undertaken to unite two repellant bodies, and, because they will not fuse, they threaten to break the crucible; any political chemist could have foretold the result. The framers of the Constitution, while planting

Slavery as a necessity there, yet provided in the Constitution means for carrying out the theory of equal rights, namely: Free speech and a free press. They feared not error so long as truth was free to combat it. Our Southern friends understand the power of truth as well as Napoleon the First did, and fear it more. * * Its present game of forcing the North into compromise is one of brag; conventions are cheap, and resolutions cheaper. We have had numerous Southern Conventions and resolutions for direct trade and magnificent steamships, but they have floated only in the imaginations of the resolvers. But you say now they have certainly seceded; have seized public property, and threaten war. I know it, and this is the very card to bring Congress to its knees, and they know it. I admire their boldness. They stake all on a small pair, and then, without moving a muscle, look their opponent in the face until he quails, and lays down his hand. They play the game more desperately than they first intended, for they did not expect firmness in the people of the North. If that which was intended for a farce results in a tragedy, the getters-up of the piece will be alone responsible. * * * Be warned of the fate of those who have compromised with wrong. The Fugitive Slave law was framed to satisfy the slave power, and was made so heavy that it crushed its Northern champion—the greatest man of the age; and carried down a President and the Whig party. Are you not satisfied with such a feat, or have you got your eyes on another crop of great men, and a successful party, whose necks you wish to place under their modern guillotine called compromise? Several are on their backs already, looking up at the glistening blade, but they are unwilling to die alone, so they beckon us on to share their inglorious fate. A sham compromise will do the South no good—for a real one there is no basis. The Border States, for their own safety, must ally themselves with the North. Emancipation is sure to come in time—nothing can

prevent it—better prepare for it in season. Aggressions on Northern men in the Slave States must cease, rebellion must be put down, or the power of a consolidated North will sweep away all resistance; unless the South retreats from its treason, Slavery is doomed, and will go out in blood. Secession, compromise, and reconstruction is now the platform of the odds and ends of the Democratic party; Secession to force compromise—compromise to destroy the Republican party and reconstruct the old Democracy on its ruins. Let us meet this courageously—the people sustain brave men, and follow a hero into a ditch sooner than a coward into camp. Save the Free States from humiliation, the Border States from Secession. By compromise you encourage treason and enhance the danger. I hope that the Union will be saved, but it must not be by striking hands with wrong. Let us have liberty and Union if we can; but liberty without Union rather than Union without liberty."

This sounded like the stern North wind cutting through the pines. It was, unquestionably, Maine sentiment. Its last sentences sounded like grim prophecy. Compromise with revolutionists, and concessions to Slavery, found no response save that of defiance from the real Northmen. They were as unbending in *their* sense of right as the pines in their primeval forests. It was History telling her beads over again.

The speeches of Burnham, Beale, and Walton were reassurances of the feeling rapidly growing, against compromise, in their States, as was evident from the satisfaction with which they were received by their constituents. How it must have pained the heart of the noble Kentucky Senator to have heard these daily protests against his well-meant, but weakly cherished offspring!

CHAPTER XXXI.

THE NEW POWER IN THE SOUTH. JEFFERSON DAVIS' PROGRESS
TO MONTGOMERY. SIGNIFICANT SPEECH. HIS INAUGURAL.
HIS CABINET. PROCEEDINGS OF THE CONFEDERATE CONGRESS
UP TO MARCH 2D.

THE journey of Jefferson Davis *en route*. . Davis, President-elect of the Southern Confederacy, from Mississippi to Montgomery, was one continued ovation. Great numbers of people congregated at every station. Twenty-five speeches were made by the President, on the route, to the gathered crowds. He was met, on his approach to Montgomery, by a Committee of the Congress, and by the city authorities, who served as an escort, while two military companies from Columbus, Georgia, joined the retinue as a body-guard.

The reception at Montgomery, Saturday evening, (February 16th,) was enthusiastic.

At the depot Mr. Davis made a speech to the great concourse in waiting. He addressed them at some length on the state of the South and the duties of its people, assuming a position at once of defiance and menace toward the North.* This speech was

regarded as a throwing down of the gauntlet, and sped over the North to confirm the impression of the utter hopelessness of any compromise with the Seceded States. A new Government was formed—the dream of dreamers was realized:—the Slave Republic was a fact, which no step of the North or of the Border States could avert. Compromise not only was not asked for, but was scorned; while the idea of any *reconstruction* was only entertained to be vituperated. Exhilarated by the remarkable success of the revolution to a state of nitrogenic delight, any return to the old Union looked, to their elated visions, like a descent to Avernus, and a reconstructionist was regarded as an enemy.

Eleven o'clock Saturday night the President, in answer to the clamors of the people, thus addressed them from the balcony of his hotel:

FELLOW-CITIZENS AND BRETH-
REN OF THE CONFEDERATE

STATES OF AMERICA—FOR NOW
we are brethren not in name merely, but in fact—men of one flesh, one bone, one interest, one purpose—and of an identity of domestic institutions. We have hence, I trust, a prospect of living together in peace, with our institutions subject to protection, not defamation. It may be our career will be ushered in in the midst of storm. It may be that as this morning opened with clouds, mist, and rain, we shall have to encounter inconvenience at the beginning. But, as the sun rose, it lifted the mist and dispelled the clouds, and left the pure sunlight of Heaven; so will the progress of the Southern Confederacy carry us safe to the harbor of constitutional liberty and political equality. Thus, we have nothing to fear at home, because at home we have homogeneity. We will have nothing to fear abroad, because, if war should come, if we must again baptize in blood the principles for which our fathers bled in

* A letter received at Washington, February 24th, from a "distinguished Alabamian," said:

"You may suppose that there is a chance to rebuild the Union which has been torn down. *There is none.* Not only is there no probability, but there is no possibility of such an event. We do not believe that the North will give us any substantial guarantees, and we could not trust them if they did. The idea which seems to have taken possession of the 'Peace Congress,' as it is called, that we will be satisfied with the prohibition north of 36 deg. 30 min., and Squatter-Sovereignty south of that line, is a gross insult to our understanding. Be assured, we have no idea of accepting any such terms. The truth is, and our friends outside of the Seceding States ought to be apprised of the fact, 'we have lost all hope of an amicable adjustment, and are looking to the bayonet as the final arbiter of the dispute.'"

the Revolution, we shall show we are not degenerate sons, but will redeem the pledges they gave, preserve the sacred rights they transmitted to us, and show that Southern valor still shines as brightly as in 1776, in 1812, and in every other conflict. I was informed, my friends, that your kindness only required I should appear before you. Fatigued by travel, and hoarse, I am unable to speak at any length, and came merely to assure you of my gratitude for these manifestations of your good-will. I come with diffidence and distrust to the discharge of the great duties devolved on me by the kindness and confidence of the Congress of the Confederate States. I thank you, friends, for the kind manifestations of favor and approbation you exhibit on this occasion. Through my entire progress to this city, I have received the same flattering demonstrations of generous support. I did not regard them as personal to myself, but as tendered to me as the humble representative of the principles and policy of the Confederate States. I will devote to the duties of the high office to which I have been called all I have of heart, of head, of hand. If, in the progress of events, my services shall be needed in another position; if, to be plain, necessity shall require that I shall again enter the ranks as a soldier, I hope you will welcome me there. Now, friends, again thanking you for this manifestation of your approbation, allow me to bid you good-night."

The Inaugural Address of
Jefferson Davis.

The inaugural ceremonies transpired in the open air, from the front of the Capitol, in the presence of a vast crowd, among whom were many ladies, and an imposing body of military. The Inaugural Address was pronounced, commencing at one o'clock, prior to the administration of the oath. It read as follows:

"GENTLEMEN OF THE CONGRESS OF THE CONFEDERATE STATES OF AMERICA—FRIENDS AND FELLOW-CITIZENS—Called to the difficult and responsible station of Chief Executive of the Provisional Government which you have instituted, I approach the discharge of the duties assigned me with an humble distrust of my abilities, but with a sustaining confidence in the wisdom of those who are to guide and aid me in the administration of public affairs, and an abiding faith in the virtue and patriotism of the people.

"Looking forward to the speedy establishment of a permanent Government to take the place of this, and which, by its greater moral and physical power, will be better able to combat with the many difficulties which arise from the conflicting interests of separate nations, I enter upon the duties of the office to which I have been chosen, with the hope

that the beginning of our career as a Confederacy may not be obstructed by hostile oppo-

The Inaugural Address of
Jefferson Davis.

sition to the enjoyment of our separate existence and independence which we have asserted, and which, with the blessing of Providence we intend to maintain.

"Our present condition, achieved in a manner unprecedented in the history of nations, illustrates the American idea that Governments rest upon the consent of the governed, and that it is the right of the people to alter and abolish Governments whenever they become destructive to the ends for which they were established. The declared compact of the Union from which we have withdrawn was to establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity; and when, in the judgment of the sovereign States now composing this Confederacy, it has been perverted from the purposes for which it was ordained, and ceased to answer the ends for which it was established, a peaceful appeal to the ballot-box declared that, so far as they were concerned, the Government created by that compact should cease to exist. In this they merely asserted the right which the Declaration of Independence of 1776 defined to be inalienable. Of the time and occasion of its exercise they, as sovereigns, were the final judges, each for itself.

"The impartial, enlightened verdict of mankind will vindicate the rectitude of our conduct, and He who knows the hearts of men will judge of the sincerity with which we labored to preserve the Government of our fathers in its spirit.

"The right, solemnly proclaimed at the birth of the States, and which has been affirmed and reaffirmed in the Bills of Rights of the States subsequently admitted into the Union of 1789, undeniably recognizes in the people the power to resume the authority delegated for the purposes of Government." Thus, the sovereign States, here represented, proceeded to form this Confederacy, and it is by the abuse of language that their act has been denominated 'revolution.' They formed a new alliance; but, within each State, its Government has remained. The rights of person and property have not been disturbed. The agent through whom they communicated with foreign nations is changed; but, this does not necessarily interrupt their international relations. Sustained by the consciousness that the transition from the former Union to the present Confederacy has not proceeded from a disregard, on our part, of our just obligations, or any failure to perform every constitutional duty moved by no interest or passion to invade the rights of others, anxious to cultivate peace and commerce with all nations, if we may

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not hope to avoid war, we may at least expect that posterity will acquit us of having need-

lessly engaged in it."

"Doubly justified by the absence of wrong on our part, and by wanton aggression on the part of others, there can be no cause to doubt that the courage and patriotism of the people of the Confederate States will be found equal to any measures of defence which their security soon may require.

"An agricultural people, whose chief interest is the export of a commodity required in every manufacturing country, our true policy is peace, and the freest trade which our necessities will permit. It is alike our interest, and that of all those to whom we would sell, and from whom we would buy, that there should be the fewest practicable restrictions upon the interchange of commodities. There can be but little rivalry between ours and any manufacturing or navigating community, such as the North-eastern States of the American Union.

"It must follow, therefore, that mutual interest would invite good-will and kind offices. If, however, passion, or lust of dominion, should cloud the judgment, or influence the ambition of those States, we must prepare to meet the emergency, and maintain, by the final arbitrament of the sword, the position which we have assumed among the nations of the earth.

"We have entered upon a career of independence which must be inflexibly pursued through many years of controversy with our late associates of the Northern States. We have vainly endeavored to secure tranquillity and obtain respect for the rights to which we were entitled. As a necessity, not a choice, we have resorted to the remedy of separation, and henceforth our energies must be directed to the conduct of our own affairs, and the perpetuity of the Confederacy which we have formed. If a just perception of mutual interest shall permit us peaceably to pursue our separate political career, my most earnest desire will have been fulfilled. But if this be denied us, and the integrity of our Territory and jurisdiction be assailed, it will but remain for us, with firm resolve, to appeal to arms, and invoke the blessing of Providence on a just cause.

"As a consequence of our new condition, and with a view to meet anticipated wants, it will be necessary to provide a speedy and efficient organization of the branches of the Executive Department having special charge of Foreign Intercourse, Finances, Military Affairs, and Postal Service.

"For purposes of defence, the Confederate States may, under ordinary circumstances, rely mainly upon their militia; but, it is deemed advisable, in the present condition of affairs, that there should be a

well-instructed, and disciplined army, more numerous than would usually be required on a peace establishment.

"I may also suggest, that, for the protection of our harbors, and commerce on the high seas, a navy adapted to those objects will be required. These necessities have doubtless engaged the attention of Congress.

"With a Constitution differing only from that of our fathers in so far as it is explanatory of their well-known intent, freed from sectional conflicts which have interfered with the pursuits of the general welfare, it is not unnatural to expect that the States from which we have recently parted may seek to unite their fortunes with ours, under the Government we have instituted. For this, your Constitution makes adequate provision; but, beyond this, if I mistake not, the judgment and will of the people are, that union with the States from which they have separated is neither practicable nor desirable. To increase the power, to develop the resources, and promote the happiness of a confederacy, it is requisite there should be so much of homogeneity that the welfare of every portion would be the aim of the whole. Where this does not exist, antagonisms are engendered, which must and should result in separation.

"Actuated solely by a desire to preserve our own rights, and to promote our own welfare, the separation of the Confederate States has been marked by no aggression upon others, and followed by no domestic convulsion. Our industrial pursuits have received no check; the cultivation of our fields progresses as heretofore; and, even if we should be involved in war, there would be no considerable diminution in the production of the staples which have constituted our exports, in which the commercial world has an interest scarcely less than our own. This common interest of producer and consumer can only be intercepted by an exterior force which should obstruct its transmission to foreign markets—a course of conduct which would be detrimental to manufacturing and commercial interests abroad. Should reason guide the action of the Government from which we have separated, a policy so detrimental to the civilized world, the Northern States included, could not be dictated even by a strong desire to inflict injury upon us; but, if it be otherwise, a terrible responsibility will rest upon it, and the sufferings of millions will bear testimony to the policy and wickedness of our aggressors.

"In the mean time there will remain to us, besides the ordinary remedies before suggested, the well-known resources for retaliation upon the commerce of an enemy.

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"Experience in public stations of a subordinate grade to this which your kindness has conferred, has taught me that care, and toil, and disappointments, are the price of official elevation. You will see many errors to forgive, many deficiencies to tolerate, but you shall not find in me either want of zeal or fidelity to the cause that is to me the highest in hope and of most enduring affection. Your generosity has bestowed upon me an undeserved distinction, one which I neither sought nor desired. Upon the continuance of that sentiment, and upon your wisdom and patriotism, I rely to direct and support me in the performance of the duty required at my hands.

"We have changed the constituent parts, but not the system, of our Government. The Constitution formed by our fathers is that of these Confederate States. In their exposition of it, and in the judicial construction it has received, we have a light which reveals its true meaning. Thus instructed as to the just interpretation of that instrument, and ever remembering that all offices are but trusts held for the people, and that delegated powers are to be strictly construed, I will hope, by due diligence in the performance of my duties, though I may disappoint your expectations, yet, to retain, when retiring, something of the good-will and confidence which will welcome my entrance into office.

"It is joyous, in the midst of perilous times, to look around upon a people united in heart, where one purpose of high resolve animates and actuates the whole; where the sacrifices to be made are not weighed in the balance against honor, right, liberty and equality. Obstacles may retard, but they cannot long prevent, the progress of a movement sanctioned by its justice and sustained by a virtuous people.

"Reverently let us invoke the God of our fathers to guide, and provide, and protect us, in our efforts to perpetuate the principles which, by His blessing, they were able to vindicate, establish, and transmit to their posterity, and with a continuance of His favor, ever gratefully acknowledged, we may hopefully look forward to success, to peace, to prosperity."

Monday, February 18th, the Confederate Congress Members signed the Provisional Constitution. [See page 337.] A bill was introduced to organize a Patent-office, and to define its duties. Secret session being ordered, nothing further transpired which the public was permitted to scrutinize. At the proper hour the Congress adjourned to attend upon the inauguration. Upon reassembling, the President and Vice-Presi-

dent of the Confederacy occupied seats on the right and left of the President of Congress, Howell Cobb. Thus, the men who agitated for power, found themselves again reunited—not mere subordinates, as in the Federal Congress, but chiefs. They had not "thrown themselves on their country's altar" in vain!

February 19th the following bills were reported from the Committee on Engrossments as ready for signature: An Act for the enforcement of the Revenue Laws; An Act for the preservation of the records of Congress; An Act committing certain powers to the Committee on Naval Affairs. The Report of the Committee to Organize the Executive Departments was read. Its brief was:

"The first section provides that there shall be an Executive Department known as the Department of State; and there shall be a principal officer known as Secretary of State, who shall discharge such duties as may be assigned him by the President, and in accordance with the Constitution and laws of the Confederate States, and receive such compensation as may be fixed by law.

"The second section—that it shall be the duty of the Secretary of State to preserve all bills, resolutions, orders, &c., and affix to them the great seal of State; also to give public notice of all laws passed by Congress in at least three public journals within the Confederacy; and also to cause two printed copies of all acts, resolutions, &c., to be sent to each of the Governors of the States of this Confederacy.

"The third section—that there shall be in said department a chief clerk, and such other clerks as may be found necessary in the business of the department, who shall receive such compensation and take such oaths as may be regulated by law."

It was considered in secret session. The State of Texas was regularly called on the roll, on and after this day!

Very little transpired of the session of February 20th. A discussion arose on the establishment of an armory, in the course of which a member of the Military Committee, in a thoughtless moment, made the following interesting confession:

"My colleague, however, greatly errs, when he states we are unprepared for war, and have no arms, and I am unwilling to let the assertion go undenied. Sir, we have arms, and in abundance, though no armories. Every State has amply provided itself to

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meet any emergency that may arise, and are daily purchasing and receiving cannons, mortars, shells, and other engines of destruction, with which to overwhelm the dastard adversary. Organized armies now exist in all the States, commanded by officers brave, accomplished and experienced; and even should war occur in twenty days, I feel confident that they have both the valor and the arms to successfully resist any force whatever. Let the issue come, I fear not the result.

Mr. Davis (February 21st) named his Cabinet as follows:

Secretary of State: Robert Toombs, of Georgia;

“ “ *Treasury*: C. G. Memminger, of North Carolina;

“ “ *War*: L. Pope Walker, of Alabama;

“ “ *Navy*: Stephen R. Mallory, of Florida.

Mr. Elet, of Mississippi, was named Postmaster-General, but he declined the appointment, when John H. Reagan, of Texas, was named. Wm. L. Yancey, of Alabama, was tendered a Cabinet appointment, but declined it, preferring the post of Minister Extraordinary to the Courts of England and France.

Mr. Benjamin, of Louisiana, was also, at a later day, named Attorney-General. Mr. Sliedell, for his share, preferred a European Mission, which was given him. So of Rust, of Arkansas, and Mason, of Virginia.*

The Proceedings after this date were so exclusively debarred to the public, that nothing is known of them further than such as transpired when it became necessary to publish the acts for their enforcement. The list of those acts which went into force, at an early moment after their signature, comprises, among others, the following:

“ An Act to prescribe the rates of postage in the Confederate States, and for other purposes. Also, a supplemental act to the same subject.

“ An Act to modify the Navigation Laws, and to repeal all discriminating duties on ships or vessels.

“ An Act in relation to the Slave-trade, and to punish persons offending therein.

* And thus the disinterested agitators found themselves all repaid for their arduous services in behalf of “Southern Independence.” Not one of them, except the “irrepressible Wigfall,” but was handsomely provided for in the new order of things. The people had not a word to say in the whole matter. The Government and offices were farmed out just as spoils-gatherers would distribute their plunder.

“ An Act to define more accurately the exemption of certain goods from duty.

“ An Act to authorize the Secretary of the Treasury to establish additional ports and places of entry and delivery, and to appoint officers therefor.

“ An Act for the establishment and organization of a Central Staff for the Army of the Confederate States of America.

“ An Act to raise money for the support of the Government, and to provide for the defence of the Confederate States of America.

“ An Act to raise the provisional forces of the Confederate States of America, and for other purposes.

“ An Act to define the jurisdiction of the Federal Courts in certain cases.

“ An Act to provide for the registration of vessels owned in whole or in part by citizens of the Confederate States.

“ An Act guaranteeing the free navigation of the Mississippi River.”

Several of these Acts threw a flood of light upon the policy of the new Government. The Slave-Trade act President Davis vetoed—for the first time exercising that nullifying power. The grounds of the veto did not transpire, but it was understood that the Congress had so modified the Federal law as to strip the slave-trade of the penalties for piracy, and to modify the penalties for misdemeanor. The veto left the Federal law in force, since the Congress had adopted, by special provision, all Federal laws until repealed or otherwise modified by the Congress. The Postal law will prove statements already made in the pages of this History respecting the outrageous imposition to which the Federal Government was forced to submit, for many years, in the matter of mails over hundreds of routes in the Southern States whose postages scarcely paid for the locks on the mail-bags used. We quote the exhibit made by the Committee as the basis of their law:

“ The Committee have mainly directed their inquiries to the question whether, without material inconvenience to the public, the Post-Office Department of this Confederacy can be made self-sustaining.

“ The Committee find, from the latest and most reliable means of information of which they have been able to avail themselves, that the excess of expenditure over the receipts of this department in the six States composing this Confederacy, for the

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fiscal year ending June 30, 1859,
was \$1,660,695.83. They have
not been able to obtain the

report of such receipts and expenditures for the last fiscal year, but they presume the above furnishes an approximation sufficiently accurate for the predicated of our present action.

"To provide for this deficit, your Committee would suggest that the rates of postage may be increased, as proposed by the accompanying bill. By this bill they estimate an increase of receipts approximating \$578,874.83.

"They believe that a saving can be effected by a change in the mode of letting out mail contracts, adopting what is usually called the 'star-bid system,' providing for all our safeguards for the celerity, certainty, and security of the mails, but without restrictions as to the mode of transportation. In this way your Committee are satisfied that the expense of mail transportation may be reduced—say 33½ per cent. upon the present cost—say \$619,033.

"They are further of opinion that there should be a discontinuance of numerous routes, the cost of which is greatly disproportioned to their convenience, and the receipts of the post-offices supplied by them. In this way they believe a saving of one-tenth of the present cost of transportation may be attained—say \$206,344.

"The service upon many of the routes may, without material detriment, be changed, daily routes reduced to tri-weekly, &c., at an estimated reduction of say \$206,344.

"They would also recommend the abolishing a number of minor post-offices, which occasion considerable expense, without corresponding profit or convenience. In this way a saving to the Department might be readily reduced to the amount of say \$50,000.

"These sums added, say by increased receipts by reason of postage rates... \$ 578,874 83

"By savings as above, indicated total. 1,081,721 00

"Total..... \$1,660,595 83

"Present excess of expenditures over receipts..... \$1,060,595 83

"Your Committee are of opinion that steps should be immediately taken to preserve the postage stamps of the denomination of ten, five, and twenty cents; that these stamps will be sufficient to meet the wants of the Department for the present."

Texas, the most expensive of all the States, from its long non-paying routes, was not included in this exhibit, or the deficit of receipts would have been increased by the sum of nearly six hundred thousand dollars annually. That little paragraph, last quoted, is

modestly worded, considering that it proposed to *preserve* the postage stamps belonging to the Federal Government. Several hundred thousand dollars worth of stamps of the United States Government were in the hands of postmasters in the Seceded States, on sale. To render these profitably available, it was only necessary to *preserve* them, just as the mint at New Orleans was *preserved*, with its five hundred thousand dollars of coin. The non-use of the word *steal*, doubtless, was owing to the "chivalrous sense of honor" which animated the bosoms of those remarkable men.

The Act for the organization of the Confederate Army Staff reproduced, with slight change, the Army Regulations and pay of the United States service.

The Act to provide money for carrying on the Government would deserve but passing notice, were it not for the fact that the proposed loan, after the most extraordinary exertions on the part of the "friends of the South," was never, we believe, entirely taken, although its amount was but fifteen millions of dollars.* We give the Act:

SEC. 1—*The Congress of the Confederate States do enact*, That the President of the Confederate States be and he is hereby authorized, at any time within

*A letter found its way into print, purporting to have been written by a Charleston banker to a London house, proposing for it to assist in placing the loan, and stating the securities to be offered to Foreign takers, as follows:

First: A mortgage on the property seized from the United States, of forts, arsenals, custom-houses, &c.

Second: A pledge to pay off the *delayed* debts of Mississippi and Florida. The State of Florida to be transferred to trustees in security for the payment of its debt, while Mississippi should pledge its own honor and good faith to pay the new bonds to be issued for those repudiated.

Third: A pledge of the revenues of the Custom-House and Post-Offices, after current expenses were paid.

Fourth: A mortgage on all territory to be "acquired," and usufruct thereof.

If this was not a *canard*, (as it doubtless was) then it only proves what a miserable state the finances of the country must have been in, that any such pledge should have been even thought of.

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twelve months after the passage of this act, to borrow, on the credit of the Confederate States, a sum not exceeding \$15,000,000, or so much thereof as, in his opinion, the exigencies of the public service may require to be applied to the payment of appropriations made by law for the support of the Government, and for the defence of the Confederate States.

"SEC. 2. That the Secretary of the Treasury is hereby authorized, by the consent of the President of the Confederate States, to cause to be prepared certificates of stock or bonds, in such sums as are hereafter to be mentioned, for the amount to be borrowed as aforesaid, to be signed by the Register of the Treasury, and sealed with the seal of the Treasury; and the said certificates of stock or bonds shall be made payable at the expiration of ten years from the 1st day of September next; and the interest thereon shall be paid semi-annually, at the rate of three per cent. per annum, at the Treasury, and such other place as the Secretary of the Treasury may designate. And to the bonds which shall be issued as aforesaid shall be attached coupons for the semi-annual interest which shall accrue, which coupons may be signed by officers to be appointed for the purpose by the Secretary of the Treasury. And the faith of the Confederate States is hereby pledged for the due payment of the principal and interest of the said stock and bonds.

"SEC. 3. At the expiration of five years from the 1st day of September next, the Confederate States may pay up any portion of the bonds or stock, upon giving three months previous public notice at the seat of Government of the particular stock or bonds to be paid, and the time and place of payment; and from and after the time so appointed, no further interest shall be paid on said stock or bonds.

"SEC. 4. The certificates of stock and bonds shall be issued in such form and for such amounts as may be determined by the Secretary of the Treasury, and may be assigned or delivered under such regulations as he may establish. But most of them shall be for a less sum than \$50; and he shall report to Congress, at its next session, a statement in detail of his proceedings, and the rate at which the loans may have been made, and all expenses attending the same.

"SEC. 5. From and after the 1st day of August, 1861, there shall be levied, collected, and paid, a duty of one-eighth of one per cent. per pound on all cotton in the raw state exported from the Confederate States, which duty is hereby specially pledged to the due payment of interest and principal of the loan provided for in this act; and the Secretary of the Treasury is authorized and required to establish

a sinking fund to carry into effect the provisions of this section: *Provided, however,* That

the interest coupons, issued under the second section of this act, when due, shall be receivable in payment of the export duty on cotton: *Provided, also,* That when the debt and interest thereon, herein authorized to be contracted, shall be extinguished, or the sinking fund provided for that purpose shall be adequate to that end, the said export duty shall cease and determine."

It was announced by the Southern press quite generally that, so patriotic were the masses, the loan was eagerly absorbed by the *people*; that every man who could muster one hundred dollars was investing in a bond. This story served the purpose designed—of inspiring the Secessionists, and of dispiriting the Unionists in the States of Tennessee, Virginia, and North Carolina. To have confessed the truth—that the credit of the new Government was so low as to be unable to obtain its first loan—would have been fatal to the further progress of the revolution to the North; hence, the usual resort was had to deception. The loan went begging at the banks, at the doors of planters, on the street; and, up to July, it had been but about half taken. Does the reader ask, How was it possible for the Government to progress without money? The curiosity-gatherer will be able to answer when he collects a specimen of each issue of Treasury notes, certificates, cotton-deposit acknowledgments, &c., &c., by the Government, and of the utterly illimitable issue of notes of every denomination, by banks, corporate and stock companies, cities, railways, individuals, and churches. The flood of promises-to-pay was only paralleled by an Autumnal fall of leaves. As it was *dangerous* for a person to demand the specie on any of these issues, there was no want of "currency," although there was a great want of coin. The history of these paper issues will form an amusing record, if it ever is written.

The Act to provide for the "provisional" army of the Confederate States was as follows:

"SECTION 1. *The Congress of the Confederate States of America do enact,* That to enable the Government of the Confederate States to maintain its jurisdiction over all questions of peace and war, and to provide

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for the public defence, the President be, and is hereby, authorized and directed to assume

control of all military operations in every State, having reference to a connection with questions between the said States, or any of them, and powers foreign to them.

"Sec. 2. *And be it further enacted*, That the President is hereby authorized to receive from the several States the arms and munitions of war which have been acquired from the United States, and which are now in the forts, arsenals, and navy-yards of the said States, and all other arms and munitions which they may desire to turn over and make chargeable to this Government.

"Sec. 3. *Be it further enacted*, That the President be authorized to receive into the service of this Government such forces now in the service of said States as may be tendered, or who may volunteer by consent of their State, in such numbers as he may require, for any time not less than twelve months, unless sooner discharged.

"Sec. 4. *Be it further enacted*, That such forces may be received, with their officers, by companies, battalions, or regiments, and, when so received, shall form a part of the provisional army of the Confederate States, according to the terms of their enlistment, and the President shall appoint, by and with the advice and consent of Congress, such general officer or officers, for said forces, as may be necessary for the service.

"Sec. 5. *Be it further enacted*, That said forces, when received into the service of the Government, shall have the same pay and allowances as may be provided by law for volunteers entering the service, or for the army of the Confederate States, and shall be subject to the same rules and government."

This act stripped the State Governors of

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their newly-assumed titles of Commander-in-Chief,

which they had freely sported. It was a short-lived "supremacy" the State enjoyed. The tyranny closing around them like an overgrowth, was as sure to overrun their "palmetto" independence as the moss which trailed over their forests to festoon them with darkness. Under this act, Peter G. Beauregard, soon made Brigadier-General by commission of Mr. Davis, was sent to Charleston to assume command of the forces there, while General Bragg was placed in command at Pensacola.

The Act for the free navigation of the Mississippi, although it conceded the river a common highway, still assumed a jurisdiction which the States drained by the great river would resist to the last. Their rights to that highway was incontestible; to restrict their rights, by giving up the river to a foreign jurisdiction, was to injure the property and commerce of the great North-west to an incalculable degree. The fact that a battery had been placed on the banks of the river, at Memphis, to challenge all craft, and thus to obstruct navigation, showed to the twelve States, tributary to the stream, what *might* exist, at any moment, to their great detriment; and the Act for the navigation of the stream only served to call most especial attention to the matter. It soon became one of the things evident, that that highway never would be allowed to pass through the territory of a *foreign power*.

CHAPTER XXXII.

RESISTANCE TO TYRANNY IN THE SECEDED STATES. SOUTH CAROLINA DISSATISFIED. EVIDENCES OF DISSATISFACTION IN GEORGIA, ALABAMA, AND MISSISSIPPI. THE UNION FEELING IN THE BORDER SLAVE STATES.

THE voice of the Cotton States, seemingly, was unanimous for the new order of things. But, so many evidences came of a stifled opinion which repelled the revolution and hoped - for reaction, that we advert to the subject briefly. As preliminary, it may be said that even the Secessionists did not

Evidences of Dis-
content.

harmonize in their views, now that the hour had come to embody them.

The element of revolution was not one to be calmed into peace at any voice. To say to South Carolina, "Peace! be still!" was as hopeless for peace as to bid the overcharged steam-chest from foaming. She must have vent, apparently, or an explosion would ensue. The class of chronic mal-contents, in that State, was large—the class of well-contents small. The philosophy of Calhoun, and the "glittering generalities" of McDuffie, had resulted in a mental disorder, whose only proper expression seemed to find embodiment in the word *nullification*. This became apparent at an early stage of the proceedings of the Confederate Congress, notwithstanding the seal of secrecy. A correspondent of the *Charleston Mercury* at Montgomery, writing under date of February 14th—evidently a member of the Congress—uttered this strong and distinctive protest to the too Federal nature of the new Government:

South Carolina Repu-
diates the Confed-
eracy.

"Upon one point there appears to be a fixed determination and straightforward action here.

Reconstruction is dead. A Southern Confederation is established; and the Southern Confederacy is a fixed thing. But what sort of a Confederacy? Here the Convention is at sea, and vague dreads of the future and terrors of the people, and in some degree a want of statesmanship, paralyze all useful and essential reform, and weaken men into inaction. Let your people prepare their minds for a failure in

the future Permanent Southern Constitution. For South Carolina is about to be saddled with

South Carolina Re-
pudiates the Con-
federacy.

almost every grievance except Abolition, for which she long struggled, and just withdrawn from the late United States Government. Surely McDuffie lived in vain, and Calhoun taught for naught, if we are again to be plundered, and our commerce crippled, destroyed, by tariffs—even discriminating tariffs. Yet this is the almost inevitable prospect. The fruit of the labors of thirty odd long years, in strife and bitterness, is about to slip through our fingers.

"But is this all we are about to be called on to enact and bear? It is only the beginning.

"The three-fifths rule of representation for slaves was one of the many Yankee swindles put upon us in the formation of the old Constitution. It is a radical wrong. It most unfairly dwarfs the power of some of the States in any Federal representation. The proportion of her black to the white population is very much larger than that of any other Slave State. By the old swindle, her fair population of representation was cut down upon all her slaves in proportion as three to five. The black population, being in a majority in our State, two-fifths of more than one-half of the people of the State are entirely unrepresented. And in just the degree that the proportion of the black population in South Carolina predominates over the proportion of the blacks to the whites in any other State, is the swindle augmented and aggravated. South Carolina is small enough without again flinging away what legitimate power she possesses. That power is in her slaves—socially, politically, economically. The proposition of the three-fifths rule calls upon her not only to stultify herself, but to dwarf her powers.

"Is this all? It is not. She is probably to be called upon to brand herself and her institutions.

"The old Constitution of the United States merely grants to the Congress the *power* to prohibit by law the further introduction of slaves from Africa or elsewhere outside of the United States. Terrorism here is about to make its perpetual prohibition a fundamental provision of the Constitution itself. A stigma

South Carolina Re-
pudiates the Confed-
eracy.

is thus broadly stamped upon the whole institution before the whole world, and sealed by ourselves. That Congress should have power to prohibit the trade is a legitimate provision. I should not object to such a provision. It is a matter of trade, business, and general economy. There may or may not be a sufficient supply of African labor now in America. Of this it is for the peoples of the several States to decide, through their representatives in the General Congress. But to brand it by a fundamental article of the Constitution itself, is to cast an infamous slur upon the whole institution—the lives and the properties of every slaveholder in the land.

"For what have we cast off the North as a rotten incubus, if we are thus to reenact all their swindles, outrages, and insolences upon ourselves? To be plundered and manacled with discriminating tariffs—to stultify ourselves with a half-way representation—and to indorse all the slanders and insolence of the Northern States?

"All this is not encouraging to our hopes. But there remains two methods of retrieving ourselves. The first is, in our Convention. We may have to follow the example of 1788. The second is, by providing in the Constitution, for the present, an easy way of amendment; and South Carolina may insist upon amendments upon these points being made. Doubtless public spirit will advance. Many men here want information. They are ignorant and unpracticed in this matter. There is still room for much hope in the end—with the exercise on our part of much firmness.

"It is greatly to be regretted that the debates upon the Constitution will probably not be public. It seems to me that they will be very important as guides in the future, whereby we may be enabled to comprehend its meaning—the proper interpretation of its language.

"To change the subject—a nice pickle South Carolina has been placed in with regard to Fort Sumter! Three weeks ago it was feared by many that any assault upon that fort was to be postponed until the 4th of February, and then to be turned over to the action of the Southern Congress. Such has proved the fact. What has been gained? President Davis will not be inaugurated until Saturday evening, the 16th of February. This is the earliest period possible. Circumstances will still further delay it. The Monday two weeks following, Lincoln is to be inaugurated at Washington. What opportunity is there between these two dates for Mr. Davis to make preparations for attack—to make his demand upon Mr. Buchanan for its surrender, and to receive an answer before the 4th of March? None whatever. We will have to fight, and we will

have to fight Lincoln instead of Buchanan. And who are to do the fighting? South Carolinians, and none but South Carolinians. The fort will, of course, be reenforced if it is in the power of man to do it. Will nobody tell me how lives have been saved by this policy? The attitude of our State has been in a large measure demoralized—I will not say disgraced—by the course pursued; the political attitude of the whole Southern Confederation has been embarrassed and complicated; and what is gained? Nothing, that I can see, but the spilling of much more valuable blood than was at all necessary."

We have, in this, *representative* South Carolina opinion—opinion which, so long as South Carolina has existence as a State, she will struggle to force upon whatever government is over her. The only normal condition of such a State is that of perfect isolation, under the rule of an aristocracy.

The Augusta (Georgia)

Sentinel became extremely irascible under the secret

A Georgia Protest.

reign of the new Congress. That paper thus commented on secret legislation and on the reported veto of the Slave-Trade act:

"We believe there is no truth in the rumor. Should it be true, however, it shows that we live under a very singular system of government, in which laws are not only enacted in secret, but are vetoed in secret, after the people suppose them to have gone into force. It is time that the people knew, not only what laws they live under, but who are responsible for their passage. If it is necessary to exclude the public from the deliberations of Congress to prevent confusion, that is no reason for depriving the press of the privilege of publishing the proceedings of our rulers."

The Natchez (Mississippi)

Courier did not look for prosperity under the rule

A Mississippi Protest.

of the new President. It characterized his success as the result of a ten years' struggle for a Presidency. While it admired the ingenuity by which he had, at length, succeeded to the accomplishment of his ambitious schemes, it despised the tricks by which he crawled to the place. Of the Confederacy and its usurpations, it thus gave its opinion:

"There was no sound of rejoicing here at Natchez, either on account of the formation of such a Southern Confederacy, or the appointment of such rulers. The words sprang too often from one to another, 'Are we to have no showing? Are the people to have no choice? Can a Convention alter constitu-

tions? impose taxes? appoint Constitution-makers? inaugurate Presidents? Are they oligarchs, and are we nothing?" And each citizen had to confess that there was no reply to these questions. We live under an oligarchy that has not yet dared to trust the people with a say as to its consent. Right as the South is upon the great question at issue, its position has been compromised by the events of the last two months. The consent of the governed is an essential element of government. The people of the South-west might have voted for all that has been done, but their consent has not been yet either asked or obtained."

The Tuscaloosa (Alabama) *Monitor* was a non-submissionist to the reign of tyranny. Its words were significant of the powerful under-current struggling against the revolutionary assumptions of the Conventions and the Congress. It said:

"We hold, first, that the ordinance of secession should have been committed to the people for their ratification or rejection; secondly, that the ordinances passed by the Convention should have awaited the issue of this decision; thirdly, that the people had the right, and it should have been given them, to have chosen the delegates to a Congress which was to have framed for them a government for weal or for woe. And we now demand that the Government formed—its President, Vice-President, and officers—should be submitted to the people for their approval or disapproval. If it is not, we shall, come weal or woe, attempt to fire the people's heart, to educate the people's mind to know their rights and to dare maintain them. We are no submissionists, but right is right and wrong is wrong, and we will not betray our trust. We assert that the people have a right to be heard, and being heard, to be obeyed. And we intend to keep them posted in what we consider to be an infringement of their rights and of their privileges, let the worst come to the worst. If it is treason against the new Confederacy, make the most of it. We know we are right, and, untrammelled and unawed, we will defend the right."

Many of such protests would have shaken the power of the revolutionary leaders;—therefore, they were not allowed an utterance.

The Jackson (Miss.) *Mississippian*, a strong advocate of secession, became alarmed and indignant at the virtual reign of tyranny inaugurated over the people of the South. It said:

"It is the right of the people to decide whether

or not they will live under the Constitution which is being provided for them by the body in session at Montgomery. If it is not their right to do so, then the theory that they are the source of all power, and should govern themselves, is a vague abstraction, incapable of application, and invented to delude them. It will not do to say that in voting for separation from the Union they arranged the terms of confederation with other States, or prescribed the plan of future government. That would be a falsification of history which no sane man will venture to be guilty of. There is no way of evading the premises we have assumed; hence the conclusion at which we have arrived is unavoidable, viz.: That the Constitution for the permanent government, before Mississippi becomes a party to the compact, must be submitted directly to a vote of the people of the State. If it is not done, the question of the right of the people to form their own Government may require practical solution before the new order is fully established. They will not hold themselves bound by a Government which they have had no hand in creating."

These several protests against the new Confederacy, or against its conduct, cannot be regarded merely as individual expressions, because their grounds of complaint involved general principles, and are such grounds as we know were presented by the unparalleled usurpations practiced by the reigning few over the outwitted many.

As to the state of society induced by the unsettled state of affairs, we have evidences to warrant the statement that it was, socially, very baleful. The violence practiced in the months of March, April, and May, upon every person of Union sympathies, was but a "wreaking of thought upon expression"—it was a result of the passion and brutal instincts of the masses; and, though deprecated by the better classes, was unopposed, because such opposition would have proven dangerous even to the most patriotic of Southern States' Rights men.

A Southern gentleman, of property and influence, residing at Augusta, Georgia, thus wrote to a friend, during the latter part of February: "Nine-tenths of our youth go constantly armed, and the common use of deadly weapons is quite disregarded. No control can be exercised over a lad after he is fourteen or fifteen years of age. He then becomes Mr. So-and-so, and acknowledges no

A Reign of Violence.

master." The spirit which incited the revolution was one of violence, and it is not strange that an excitable people should have proceeded to extremes when every encouragement was offered to passion, and every discouragement shown to reason. The wind was sown to breed the whirlwind, for only thus could the few hundreds hope to control the thousands to do their behests. An incredible amount of small arms—of pistols, rapiers and bowie-knives passed from the North to the South during the months of January, February, and March. So great, indeed, was the demand for these articles, that they appreciated in value, in New York, fully one hundred per cent. The weapons soon made their appearance on the persons of even the youth in the Seceded States, as stated by the letter-writers, and a corresponding demoralization of manners and morals followed. When the hour came for calling out troops, tens of thousands of these mere youths were found ready for the ranks, and as violent in passions as the most ambitious military officer could wish. In these apparently minor matters are written much of the real history of that sad revolution in society and morals, as well as in government.

The press of the Border States was not all subsidized in the interest of secession. The *Lynchburg Virginian*, in February, said: "The people can only protect their interests by holding their servants to a strict accountability, and not vainly expect, by a partition of the Confederacy, that will give our section to the exclusive domination of the party which promulgated the demoralizing doctrine that 'to the victors belong the spoils,' and will include, and retain among us, those who have outraged all public and private morality—to promote our welfare."

The Raleigh (North Carolina) *Banner* was equally true to the clearly defined rights of the people. It said: "The big heart of the people is still in the Union, and we hope to see it yet assert its supremacy. It is now subjugated temporarily to the will of the politicians. Less than a hundred thousand politicians are endeavoring to destroy the liberties and to usurp the rights of more than thirty millions of people. If the people permit it,

they deserve the horrors of the civil war which will ensue; they deserve the despotism under which they will be brought, and the hard fate which will be their lot." In view of such sentiments as these, coming from a leading press in the midst of the revolution, it cannot be charged that we have, in our somewhat severe strictures on the character and course of the secession leaders, exceeded the record of fact.

Of the feeling entertained in Tennessee towards the disunionists, by the overwhelming Union majority, we have an exemplification in this extract from the *Nashville Banner*, penned after the election, (February 11th:)

"The great majority of the people of Tennessee fully understand their rights and their obligations in this respect; and from a deep conviction of their duty sacredly to observe and sustain the Federal Constitution till it shall be changed by 'such explicit and authoritative act of the whole people' of the United States, they voted down the proposed Convention, as a dangerous and useless revolutionary body. For this discharge of what they honestly regarded as a sacred duty to themselves and their posterity, *The Union and American* presumptuously denounces them as *Submissionists*. They regard this insolent and silly taunt with the same deep scorn with which they did the counsel of the same paper to flee like cowards from the Union before the 4th day of March, for fear Abe Lincoln should catch them. 'Run, Tennesseans, run,' is counsel it may suit the purposes of disunionists to give, but such counsel has been, and always will be, treated by the people with the deepest scorn."

It was highly necessary to invite war and instate bloodshed in order to force under such sentiment as this. The assault on Fort Sumter was only ordered when it was found that the Border States would *not* join in the scheme of disunion. To *compel* the United States Government to assume an attitude of offense was the only hope of the Montgomery conspirators. Alas! that the Border States should have compromised their intelligence, should have sacrificed their own independence, so far as to have been *forced* into the Southern Confederacy at the cry of "coercion!" Their bloody fields, their desolated homes, their exhausted finances, tell how fearful was their mistake in permitting passion to usurp the throne of reason.

Evidences of a
Union Feeling.

CHAPTER XXXIII.

PROCEEDINGS OF CONGRESS CONTINUED. TWELFTH WEEK. THE VOLUNTEER BILL. EXCITING DEBATES. THE SEVEN STEAM SLOOP-OF-WAR. OFFENSIVE ATTITUDE OF THE VIRGINIA MEMBERS. GROWING FIRMNESS OF THE REPUBLICANS. MAILS DISCONTINUED IN THE SECEDED STATES. SINGULAR OPPOSITION. SPEECHES OF WILSON AND OTHERS.

The Voice of the
Germans. 4

In the Senate, Monday, February 18th, a number of petitions were presented by Messrs. Sumner, Douglas, Bigler, Foster, and others. Mr. King, of New York, presented a memorial, deprecating compromise, and urging adherence to the Constitution, signed by all the Delegates of the twenty-two wards of New York City, of the German Republicans, and also by the two German Presidential Electors. The memorial was accompanied by the resolutions unanimously adopted, as embodying the sense of the German Republicans of New York on the crisis. They are so significant and important as to merit repetition:

"Resolved, The Union, in the sense and meaning of her founders, is built upon the Constitution as it was then made, and as it now is.

"Resolved, The Constitution of the United States contains all guarantees for the peculiar interests of the individual States, to which the same are entitled according to the will of the fathers of the Republic.

"Resolved, The Constitution of the United States, according to the will of the Fathers of this Republic, tolerates Slavery as an existing practice, and does not recognize the same as a legitimate institution.

"Resolved, The Union, as designed and made by the Fathers, can only be preserved inviolate by upholding the Constitution as it is, and by executing and enforcing the Federal laws. Every amendment to the Constitution, compassing or tending to the express recognition of Slavery in our fundamental law, is a deviation from the original spirit of this instrument, and tantamount to a dissolution of the Union, built upon this well-laid basis.

"Resolved, Supremacy of the law and unqualified obedience to its power are the only safeguards of Liberty. Compromises and treaties made in compliance with the demands of rebellion and force are the death-blow to the Republic.

"Resolved, In this political crisis it is the duty of Congress, and the only true policy, firmly to resist

all attempts to palm off upon the people a bogus Union, by inserting amendments in the Constitution, foreign to and incompatible with the genuine spirit thereof—and to assert the *Reality of the Existing Union* by showing her powers to be a protection to the loyal citizen and a punishment to traitors."

The Common Council of Boston also was represented in a series of resolutions passed by that body, concurred in by the Board of Aldermen, and approved by the Mayor, asking for the adoption, by Congress, of the Crittenden resolutions.

The Post-route and the Morrill Tariff bill were up for consideration, and consumed the day. During the discussions on the latter, some interesting announcements were made by Mr. Simmons, from the Finance Committee, who said: "When the Buchanan Administration came into power, it had twenty-six millions of dollars on hand, and that its outgoings had exceeded all sources of income by over twenty millions annually, making over eighty-three millions of dollars of indebtedness to provide for. To meet that enormous debt the new Tariff bill was proposed."

In the House, Monday, Stanton's Volunteer Bill.
Stanton, from the Committee on Military Affairs, reported a bill supplemental to the acts of 1795 [see page 6] and 1817, providing for the calling forth of the militia for the execution of the laws of the Union, the suppression of insurrection and repelling invasion, so as to extend their provisions to the case of insurrection against the authority of the United States, and authorize the President, in cases where it may be lawful, to use the militia in addition to the army and navy; to accept the services of volunteers as cavalry, infantry, and artillery, and officer the same. [See p. 431.]

Mr. Bocock said that if there is to be any

hope of peace, it must be by the rejection of force bills.

Mr. Stanton said the bill merely supplied an omission in the act of '95.

Mr. Bocock objected to the second reading of the bill; the question therefore occurred, Shall the bill be rejected? The House decided in the negative—68 against 110.

In the course of remarks elicited in calling the vote, several Representatives expressed opinions upon the question of the use of force. Sickles, of New York, voted to reject, believing the bill to be a proposition for actual aggressions on the States.

Before any disposition was made of the bill, the morning hour had expired, when the Corwin Report, as the special order, came up, and Webster, (Am.,) of Maryland, expressed his views at length, consuming an hour in his speech. His views were adverse to the right of secession.

Webster's Views. He trusted the Peace Conference would recommend some measure of adjustment. It can do no more. The responsibility was still on Congress, which could not escape it. His great object was to preserve the Union, and the rights and liberties of all within the Union. He earnestly opposed the policy of force, which would drive the Southern States so far off as to preclude the possibility of reunion, and zealously advocated the policy of conciliation, compromise, and peace. The conduct of those who achieved our independence and established the Constitution was worthy of emulation in its spirit of conciliation. He would accept any fair and just settlement of the Slavery question. Not the slightest advantage has resulted to any part of the country by the discussion of the subject, but the evil of arraigging one section against the other. The vote that morning was a damper on his feelings, and somewhat obscured the hope which he had entertained of a final adjustment.

To the query of Sherman as to whether or not he was willing to *defend* the public property, Mr. Webster replied that, if precipitating measures in the defence of the public property would be more disastrous than a conciliatory course, he would not enforce the law; but he did not despair of the Republic. If

the Peace Propositions fail here, he would appeal to the justice and fraternity of the people of the North, believing they would patriotically respond, and disregard all parties for the sake of the country.

At the evening session speeches were made by Messrs. Morrill, Edwin R. Reynolds, Ely, and McKean—all firm and uncompromising in tone.

In the House, Tuesday, (February 19th,) Fenton, Fenton's Substitute. (Rep.,) of New York, offered a substitute for the Corwin Report. After citing the provision of the Constitution for calling a National Convention, the substitute read:

"Whereas, Varied and conflicting opinions prevail among the members of this House in regard to the causes which have produced the unhappy disturbances now afflicting our country, and in regard to the proper mode of quieting and adjusting these disturbances, and guarding against their future recurrence: Therefore,

"Resolved, That, in the judgment of this House, the proper tribunal to which all the existing disturbing questions should be referred for deliberate consideration and final settlement is a Convention of Delegates from the several States of the Union, to be called in the mode prescribed in the Constitution."

The regular order being resumed, Mr. Stanton's bill calling out the volunteer militia came up, when that gentleman made some explanations regarding the nature and purposes of the bill. He said there was a great deal of misapprehension existing in regard to the bill, and added:

"It was supposed that it was the intention of the Government, under its provisions, to raise an army, and to march into the Seceding States to subjugate them. It was not the case. It was a mere revision of the law of 1795, the first section of which provided for the calling out of the militia by the President, for the express purpose of suppressing insurrection in any State against the authority of any State; the second section of which also provides for the calling out of the militia to aid in the execution of the law when resisted by combinations too powerful to be overcome by the ordinary civil process of law. In his judgment, that law of 1795 covers the case of an insurrection against the authority of the United States and the right to call out the militia to put down insurrections. But it appeared that the late Attorney-General Black has expressed the opinion that it does not cover what is

Stanton's Defence of
his Bill.

sought for by this bill; that the law of 1795 only authorizes the

President to call out the militia

when the officers of the Court, the Marshals, or others are resisted in the execution of process of law directed to them, by combinations which the officers could not otherwise overcome, and did not authorize calling out the militia to put down insurrection against the authority of the United States. In his judgment, the law was intended to go this far; but to remove all ambiguity on the subject, the Committee deemed it their duty to extend the provisions of the law, not only to cases of resistance to a specific law, but in all cases where resistance to the authority of the United States, in the execution of any of its laws, is contemplated."

Sickles interrupted to know if any insurrection existed? Stanton replied affirmatively. Sickles said that the President expressed his conviction to the contrary. Stanton answered that he was acting in this matter for the public good, so far as his judgment led him to adopt these measures. The theory of the President was, that while a State might secede, that there was no constitutional right of secession, and the act of the Seceding States was a revolutionary right, which could be treated in no other way by any party than in the light of insurrection or revolution. Whether it requires the measure we provide for its prevention or not, is another question. But, as to the nature of the thing, there is no difference of opinion between the present Administration and those on this side of the House and the incoming Administration.

Sickles again interrupted, declaring that the acting Administration had asked for no such provisions; and, as the incoming Administration had not asked for it, the bill, he thought, should be abandoned. Stanton resumed:

"What the existing Administration would do, if it was to be continued in office for four years more, he did not know, in the face of existing difficulties; but the fact that the existing Administration, whose lease of power expires in two weeks, had not deemed it necessary in that short interval to call for additional powers, was no reason why no precautions should be taken to provide for an emergency which no patriotic man would say would not arise in the next four years. They were now within ten days of the expiration of the present Congress, and if this bill is to pass at all, no unnecessary delay should be allowed to hamper its passage here, until

it reached the Senate, where no Parliamentary obstacles could be interposed, such as existed

Stanton's Defence of
his Bill.

here, in the shape of previous questions, &c., to its consideration. The Committee had, in deference to public sentiment, and to avoid any unnecessary cause of excitement, delayed the introduction of the measure until the very last moment they conceived they could delay it without endangering its passage. He would proceed to state why he believed the present condition of things demanded, and explained the necessity that existed, for the passage of some such law. The incoming Administration did not desire to be necessitated to run counter to the opinion of the late Attorney-General of the present Executive, by exercising a power which that officer decided did not exist. Therefore it was that it was deemed advisable to remedy the law. Besides, they had a knowledge of the fact that the Seceding States were organizing an armed force to support a hostile Confederacy. They were informed that within thirty days they would have an army raised numbering fifty regiments, backed by a levy of fourteen millions of dollars. Now, in the face of this, one of two things must be done."

Craige, of North Carolina, interrupted, saying the Southern Confederacy was a friendly power; that the States had exercised a constitutional right to secede, and ought not to be regarded or treated as a hostile power. Stanton answered:

"Secession might be looked upon as a constitutional right, but here they had the authority of the United States superseded, and its revenues and imposts could not be collected, without some mode aside from the ordinary mode of collection. One of two things must, therefore, be done. Either this right of secession must be recognized, and the laws of the United States abandoned; and the ports of these States must be treated as free ports, and thus all the commerce of the country would be diverted from Boston, New York, Baltimore and Philadelphia; either this must be done, or else the duties on goods imported to those Southern ports must be collected, and these ports suspended as ports of entry, and their commerce made illegal. Some gentlemen opposed to them say that the authority of the United States over these States should be surrendered and abandoned, and the whole commerce of the country be thus allowed to be diverted, and the country to be supplied with imports through Southern channels. That is about the state of things. He had no doubt that it was the expectation of the incoming Administration either to collect the revenue at these ports by vessels of war stationed at their harbors, or by some measure, to

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his Bill.

be authorized by Congress, to close the ports, and not regard them as ports of entry. Then, if the Southern Confederacy treated this as a hostile act, an act of war, and should organize an armed force, and make an aggressive war upon any of the citizens of the United States, then the Government must be placed in a position to protect and defend itself. He did not look upon the position taken by parties in the Seceding States of sufficient practical importance to imperil the peace of the country by attempting hostilities till all hopes of a peaceful adjustment were abandoned. There was a necessity, however, in the mean time, for stationing vessels in the Southern ports; but if that mode of executing the law be resisted, by seeking to capture the Capital of the Republic, and the national archives, the Administration must be placed in a position to protect and defend itself against aggression. Supposing, by some untoward event, that Virginia and Maryland should be, within twenty or thirty days after the 4th of March, precipitated into an Ordinance or Act of Secession, they had not of the whole army of the United States 18,000 men, when mustered to its maximum strength, and these troops were scattered over California, Oregon, New Mexico and Texas, and they could not in sixty days concentrate in the Capital 5,000 men belonging to the regular army. Under these circumstances, were they and the *personnel* of the Government to be exposed to capture as prisoners of war? Was the Capitol of the nation, the archives, the seal and symbols of sovereignty, all to be exposed to invasion and capture—a thing that might be done within twenty days after the rising of the present Congress? Did gentlemen desire such a state of things? This bill was called for and desired for no other purpose than for purposes of defence and protection, and the exercise of such force as might be indispensable in collecting the revenue in the least possible offensive manner."

Interesting Debate

Simms, (Dem.,) of Kentucky, asked Mr. Stanton how, under the clause of the Constitution—"that no preference shall be given, by any regulation of commerce or revenue, to the ports of one State over those of another"—Congress had the right to close the ports in the Seceded States? Also, if such a closing would not be an acknowledgment that the States were out of the Union, since, *in* the Union, they could not be constitutionally closed?

Stanton said he was not prepared to say that the incoming Administration would resort to that mode of executing the laws.

Interesting Debate.

Whether the closing of specific ports by law be giving a preference to any one port more than another, was a question he would not then discuss. There was no necessity to discuss that question. There was very little difference of opinion about it. Congress had plenary power wherever ports of entry were located in any State.

John Cochrane, (Dem.,) of New York, also propounded a query. He did not question the Constitutional power of Government to close the port of any State, but he was informed it was the opinion of the gentleman from Ohio that the Southern section was in a state of revolt. Now, he would ask whether it was not the intent of the friends of the bill, through its instrumentality, to precipitate an armed force upon the scene of secession, for the purpose of suppressing it?

Stanton replied that he apprehended no man contemplated, through the bill, putting a single hostile foot on the soil of any State of this Confederacy, until absolutely necessary, in self-defence, and until a Southern army is marched upon Northern soil—upon any soil of the Confederacy. He added further, that he considered the bill as simply and purely a defensive measure.

Cochrane said that, if it be only a measure of defence, he desired Mr. Stanton to explain how the powers conferred by the bill would be efficaciously directed to the *defence* of the country and against revolution, so as not to be used in *subjugating* the State where such existed.

Stanton supposed that any police which might be raised would be properly used by the Executive for this purpose. Under any circumstances, they must trust something to the intelligence and patriotism of those who have the control of the Government of the Republic.

Simms inquired whether, under the bill, there was any limit to the number of volunteers that may be called out? He would, in this respect, call attention to the difference between this bill and the Force bill of 1833. Might not the President, under this bill, call into requisition a million of men, and thus incur a debt of millions, not for the invasion of

Southern States, but merely as a power of defence and for the execution of the laws?

Stanton replied: In that respect the bill did not change the law of 1795. It conferred precisely the same power for the purposes of suppressing insurrection against the authority of a State in executing the laws; nothing more, and nothing less. He thought the House might as well dispose of the question, at this time as any other, and he would therefore call the previous question.

Bocock, (Dem.,) of Virginia, amid considerable excitement, inquired when members on his side were to obtain a hearing upon this declaration of war? It was the first time in the history of the country that they had been precipitated into a war under the action of the previous question, and he called upon the men who intend to stand up for the peace of the country to resist this bill, and resist it to the last. He moved to lay the bill upon the table. On this, Craige, of North Carolina, demanded

the yeas and nays. Lost
—69 to 105. During the call, and preceding it, the wildest excitement prevailed. The Southern side charged that the Republicans were putting everything through with a gag force, under the demand for the previous question. He claimed a right to discuss the bill. Boteler, (Am.,) of Virginia, said: "At every stage of the progress through the Committee on Military Affairs, of this most ill-timed, unwise, and iniquitous measure, I have warred against it; and, only this morning, I took occasion to warn the Chairman of the Committee that he could not devise a more efficient method by which to destroy the Union than to persist in pressing it, in this way, and at this particular time, through the House.

Cox, (Dem.,) of Ohio, voted "aye" on the motion to lay the bill on the table, considering the bill a disunion measure. Sickles (Dem.,) of New York, voted aye, saying that the North would regard the bill as substituting coercion for justice—as an abandonment of conciliation for war.

A regular guerrilla war of words followed the announcement of the vote to lay on the table. Corwin proposed to postpone the

special order (his Report) to allow discussion on the bill; but, time for its reading, and for consultation, was so evidently demanded that Stanton moved the bill be postponed until the succeeding day at one o'clock, then to be made the special order, with a view of having it discussed. This was resisted, and Winslow, (Dem.,) of North Carolina, objected, which left the bill in its previous shape, viz.: under the call for the previous question, to come up on the morrow, prior to one o'clock.

The Corwin Report, being the special order, then came up, when Stewart, (Rep.,) of Pennsylvania, addressed the House in a speech of an hour's length. He denied that either the States or the General Governments were "sovereign," all being ruled by constitutions which stripped them of "sovereign" attributes. The National Government having vested powers, superior to and over the States, was superior to the States, and, therefore, must decide for the States in all questions involving *nationality*. In this light the step, already taken by some of the States, and threatened by others, was one which challenged the General Government to an exercise of its supremacy, for they were in revolution. As to the right of revolution, it could only be plead in cases of extreme disabilities and oppression. He said that such an assumption, on the part of the Seceded States, threw an onus on the dominant States which ought to be either proven or abandoned. He proceeded to demonstrate how utterly baseless were their alleged wrongs. The very agitation of the question of Slavery *always* was started by the South—*never* by the North; and if, on plain issues, created by questions which the South had started, the North had triumphed, it was the legitimate result of the Constitutional right of the majority. He cited the acts of 1792, 1795 and 1807, to show that a Congress, composed of many of the men who had helped to frame the Constitution, had deemed it right and necessary to delegate extraordinary powers to the President to sustain the power of the Government against its enemies. He therefore affirmed that, without the bill reported by Mr. Stanton, the powers of the President were ample

Stewart's Speech.

to enforce the laws whenever obstructed by State or people. He yet thought it a question whether it was proper for the Government to exercise all its powers. He was willing to submit to the will of the people in the matter of compromise, but he was not willing that the Constitution should be touched. He was unwilling that its great principles should be ehanged.

This most excellent speech was listened to with interest, by both sides of the House. During its delivery Mr. Stewart was closely questioned by Simms, of Kentucky, and Branch, of North Carolina, and answered with a force and frankness which quite disarmed them.

The Naval Appropriation bill coming up in Committee of the Whole, elicited a sharp discussion. The House was in a *positive* state, and so fully charged that the two sides fairly scintillated in their repellant attitude. After a lively and somewhat protracted debate on various points, the Committee rose without having arrived at a vote.

At the evening session speeches were made by Messrs. Pettit and Porter, (Reps.,) of Indiana, and Wade and Blake, (Reps.,) of Ohio. Porter supported the Corwin Resolutions. The others made strong anti-compromise speeches. That by Pettit was an able argument in vindication of his position—the Constitution and the Union as they are. The speeches of Messrs. Wade and Blake were vigorous in their anti-slavery sentiment.

The Senate, Wednesday, (February 20th,) considered the bill to authorize the Postmaster-General to discontinue mail service in those States where it was liable to be interfered with, [see pages 346-48.]

Mr. Douglas regarded the bill as eminently proper, and considered it a peace measure.

Green, (Dem.,) of Missouri, moved to amend the bill by adding that the Secretary of the Treasury be directed to prevent any attempt to collect the revenue in such States. He thought the bill was a direct attempt to strike at the States claiming to be out of the Union. Is there insurrection in any State, or obstruction to the mail service in any State? Even if there was, the Postmaster-General or President has no power to in-

terfere, unless asked by the Governors of the States.

Douglas answered, showing that no suspension of the service was contemplated, except in cases where it was obstructed, and that, in that case, the mails must either be withdrawn or defended by force. The bill was to avoid the latter alternative. The amendment proposed he (Mr. Douglas) preferred to meet on a bill presenting that isolated question.

Hemphill, (Dem.,) of Texas, proposed as a substitute the following :

Hemphill's Proposition.

"Whereas, Several States have withdrawn from this Union, and the laws of the United States have no longer any force therein : Therefore,

"Resolved, That the Postmaster-General be directed to discontinue the postal service within the limits of the said States, and make arrangements with the Governments of the same for inter-postal communication therein."

Green, of Missouri, thinking that this substitute accomplished all designed by his amendment, withdrew his proposition. He spoke at some length, in opposition to the bill. He said : "The real purpose here was to strike at, by indirection, the States which are now denominated Slave States. If you will strike at them, and ignore their political relations by the passage of this bill, I demand it as a right, that you either accept my amendment, or that proposed by the Senator from Texas, which will, I think, accomplish the same thing."

Clingman, (Dem.,) of North Carolina, said he believed those States were out of the Union, and foreign States as much as Great Britain, and thought the mail service should be stopped, but wanted to alter the bill, and moved to strike out "insurrection," and insert as a reason for the discontinuance, "the Secession of certain States."

Fitch, (Dem.,) of Indiana, suggested, say a refusal to acknowledge the laws, so as not to recognize Secession ; also, to strike out the words "postal laws maintained," so as to give no reason to employ force. This, offered as an amendment, Clingman finally accepted, as a substitute for his own.

Mason, (Dem.,) of Virginia, addressed the Senate on the bill. He said it came from

the House as a declaration that insurrection existed in the Seceded States. He wished the Senate to look at the question as it was thus presented. He argued that there was no insurrection, but a new government installed, and acting with full power as a sovereign government. Therefore, the use of such terms as "insurrection" assumed that the whole power of the Federal Government was still to be exercised in the Seceded States when the "insurrection" would allow. It was, for that reason, tantamount to a declaration of war. As such it should be cast out as a wicked and inhuman invention.

The Tariff bill being the special order, came up for consideration to shut off further debate on the Postal Service bill. In the course of the long debate which ensued, many incidental allusions were made germane to our subject, proving that the Southern men still in the Senate sought to serve their friends out of the Union, by offering every conceivable objection to the proposed measures for replenishing the finances of the exhausted National Treasury.

The Volunteer Bill
Again.

In the House the Volunteer bill, offered by Mr. Stanton on the preceding day, came up during the morning hour, and enlisted quite as much feeling as was anticipated from its first stormy reception.

Bocock, (Dem.,) of Virginia, addressed the House. The passage of the bill seemed a foregone conclusion; but he could not, for that reason, refuse his opposition to it. He opposed it on account of the features which appear on its face; he opposed it in consequence of the effect its passage will produce on the peace and prosperity of the country.

He opposed it above all, and more than all, in consequence of the policy it indicates, if it does not in the strongest degree initiate. He yesterday characterized the bill as a declaration of war, and having since carefully read it, he reiterated the remark. It was more than a declaration of war. It invested the President in time of peace with dictatorial powers. The bill does something more than suppress invasion and insurrection. It authorizes the President to employ

a military force to suppress insurrection against the authority of the United States. Bocock's Opposition.

He briefly argued that the various features in the Constitution were designed and intended to prohibit the General Government from operating in the States, unless by their consent, saying that this bill authorizes the President to carry on positive, direct, and immediate coercion against the Seceding States. It goes further than that: it clothes the President with the whole military power of the country. It was not known what Mr. Lincoln, when he succeeded to the Presidency, would consider an act of insurrection against the authority of the United States. We have had in this city a large part of the standing army, owing to an idle apprehension. The Select Committee have reported that no conspiracy in connection with the seizure of the Capitol exists, and yet the military forces here have accumulated since that time. In a few brief days this Administration will go out, and here is assembled a large military force ready for Mr. Lincoln's use; and, in addition, this bill would enable him to call out the whole militia force, and accept the services of volunteers to suppress insurrection against the authority of the United States. Whither are we going? Where are we drifting? We have already divided the Union into two Governments, and if we enter upon war at this time, the consequences must be more disastrous than history has ever recorded. As to the Border Slave States, they ought to take such steps as will best preserve the peace of the country. If this can be done by joining the Gulf States, they ought to do it. But, if blood be shed, and the armies of the two Governments come in collision, and bad passions be engendered by strife, then farewell, a long farewell, to any hope of a reconstruction of the Union! While the Peace Conference is in session, and when it has not even made a report, we see foreign troops gathered here, and members pass to the Capitol by the point of the bayonet. The Convention of Virginia was now in session, and whatever hope may have been cherished of a peaceful solution of our difficulties, it would at least be diminished by the passage of the

The Seven Steam
Sloops-of-War.

pending bill. At this point
the special order was called,
being the Corwin Report;

upon which Vallandigham, (Dem.,) of Ohio, proceeded to address the House. His speech was an elaborate plea for adjustment by compromise, and reconstruction upon his plan of reorganization of the Electoral system, [see pages 355-56.] At the conclusion of his speech Mr. Sherman pressed the Naval Appropriation bill, when it was taken up in Committee of the Whole; and the question being on the eighteenth amendment of the Senate, viz., for building seven steam sloops-of-war, Garnett, (Dem.,) of Virginia, offered as a substitute a proviso that said ships shall not be used to execute the Federal laws or aid either the land or naval force in any States claiming to be without the Federal jurisdiction. He said, in defence of his substitute, that if there were no other reason, the bankrupt condition of the Treasury should induce the House to refuse concurrence in the Senate's amendment. From what had been said in the Senate by prominent gentlemen, these vessels were intended for coercive purposes. Among other things, he alluded to Mr. Lincoln's speeches, and a private conversation between Mr. Lincoln and Mr. Hutchison, of Kentucky, to show that Lincoln is in favor of coercing the Southern States. Lincoln is wary and frank, and does not attempt to hide the claws of a tiger under the velvet fur. He does not, like his Republican friends, seek to avoid the issue.

Stanton, (Rep.,) of Ohio, thought it extraordinary that Mr. Lincoln should be held committed to coercion from casual conversations. If the Seceding States shall return to their allegiance, they will bring back the forts, etc., with them. If, on the contrary, they shall ultimately maintain a separate nationality, he did not believe any man would wish to enter upon a course that could result in no practical good. Garnett interposed to inquire for whom he spoke. Stanton answered that he certainly spoke for himself, and spoke, too, from what he had gathered from the views of everybody in conversation, who would not be likely to talk nonsense in an unrestricted intercourse. Garnett inquired if he was to understand that

the Republican sentiment
was *against* the recapture of
forts in the Seceded States?

Stanton answered :

"I do not say it never will be done. If we enter upon a war in which armies are marching and countermarching between one section and another, such a result would be probable. If all peaceful measures shall fail, and nothing else remains but open war, I do say that I do not know that anybody regards an attempt to recapture those forts as impracticable or an improbable thing."

Thaddeus Stevens, (Rep.,) of Pennsylvania, hoped what the gentleman from Ohio said was not said as the united voice of the Republicans. He (Mr. Stevens) held different views. He thought it was the intention to retake all the public property of which they had been robbed, and retake it in such a manner as to necessarily use the gentlest means first, and then such as may be necessary.

Stanton further explained, that he took it for granted the next Administration will not recognize the Constitutional right of secession, but that it will be treated as revolution. He took it for granted that Mr. Lincoln will see he has no Constitutional power to forego the execution of the laws, in the mode least calculated to create difficulty. If the Southern States do not return, and there is no Constitutional mode of recognizing a separate nationality, of course this business must end in war. There is no escape from it.

A very excited colloquy

followed. Anderson, (Am.,) of Kentucky, asked Garnett

Exciting Colloquy.

if he was for the Union? The loud and excited reply was :

"I am for the State of Virginia seceding from this Northern Union at the earliest possible moment!"

A storm of applause and hisses followed this declaration both from the galleries and the floor. It was some moments ere the confusion subsided. Anderson was asked by Brown, (Dem.,) of Kentucky, if he was for the Union?—if he would sustain the incoming Administration in event of its resorting to coercion? The reply was, that so long as he was in the Union, he (Anderson) was for the Constitution and enforcement of the laws. He was not for coercing the South. He did

The Seven Sloops-of-War.

not believe the Government could be held together by force. He deplored civil war as much as any other gentleman could.

Brown asked, if coercion or force should be used by the incoming Administration, would his colleague be for secession.

Anderson replied, he was no friend of Mr. Lincoln, did not sustain him, and would not support him, unless he comes up to the Union, Constitution, and Laws. When a man, coming from the North, East, South, or West, does his duty as an American citizen, and stands under the old flag, he was willing to give him a hearty and cordial support. He knew his colleague's District was as loyal as any in Kentucky; although it has been Democratic, the Catholic and adopted citizens of that District are ready and willing to stand under the old flag.

Brown's Position
Defined

Brown, in exposition of his position, declared that his highest and holiest

ambition was to do all to contribute to the perpetuity and advance of his country. He was for the Union. His State was for the Union. Her voice had been and was for peace, compromise, and conciliation. Old Kentucky's loyalty was beyond challenge. She had suffered most and murmured least. Her soil was the grave of the canonized bones of Clay, a great and good pacificator. She boasts her Crittenden now, in Clay's place in the Senate. Her Peace Commissioners were now in council in this city, pleading for pacification. The bones of her brave sons were bleaching on North-western plains, where they fell in battle, defending their homes, wives and children of the men whose representatives on this floor delighted in defaming her institutions. [Applause on the floor and galleries.] In his politics he did not believe in the right of secession, but the Declaration of Independence said when a Government became destructive of the ends for which it was created, it was the inherent right of the people to alter or abolish it. He believed in the divine right of revolution; we are in the midst of a revolution. If the gentleman from Pennsylvania (Stevens) foreshadowed the policy of Lincoln's Administration, and if a coercive policy against the States that had withdrawn was to be pursued,

Kentucky would resist. Her Legislature, without distinction of party, had so resolved, almost unanimously. In the event of war, the cause of her Southern sisters would be her cause. As she may be the last to join, she will be the last to leave a Southern Confederacy. Kentucky was for the Union. She asked only equality, her rights, and if compromise fail, and coercion be begun, her star will glitter on the flag of the Southern Confederacy, and her brave blood flow in its cause. He hoped his colleague's question was answered.

Garnett followed, speaking in length in a manner

A Virginian's Violence.

characterized, at times, with offensive freedom—using such language as would have entitled him to a prosecution for treason had an Administration been in power that dared to sustain an arraignment. The Chairman had to call him to order, to which call he replied, still offensively:

"I was pointing out the forms of an Imperial Court which attended the progress of the Republican President-elect. I was pointing out that the *deletores* of Imperial Rome had reappeared, and that eavesdroppers are part of the military court of your Commander-in-Chief; and I am interrupted by the Chairman of this Committee, who considers that it is an act of *lèse majesté* to say anything against those in authority."

The Chairman (Mr. Colfax) very properly rebuked this insolent assumption, by showing wherein the "gentleman from Virginia" had abused his right of speech. Garnett, however, continued, in a strain of fresh virulence, characterizing Secretary Dix as a second King Bombalino. The settlement of the questions at issue, he said, was simply *impossible*, until the *independence of the Seceded States was recognized*, and the principle of State Rights vindicated. No compromise—no amendment of the Constitution would suffice, until that recognition was made. His anathema was brought to a close in these terms:

"It was in your power to have saved the Union. It was proposed to you to suspend the execution of the Federal laws in the Seceding States to give time for negotiation, and to allow the people of the North to say whether they would longer submit to this Republican assault upon the Union, and the people of the South opportunity to decide whether they

were willing to return on fair terms. That proposition, too, you refused to hear. Now the chances are gone. The Sibylline books are nearly destroyed. Only one-third remain, and they contain the issues of peace or war. Choose ye between them! We of the South desire peace. We desire friendship with you; but, choose which you may, the people of the South, and their brethren on the Southern border—brethren in heart, if not in name; ay, and many brave lovers of justice in the North—stand ready to meet you in the name of the God of Battles and of our fathers.”

This reads like a leaf from “Junius.” That it was borne, by the other side of the House, with comparative indifference, is an evidence of the pity with which such displays of venom were regarded. Had a speech of equal virulence been made by any man in the Confederate Congress, against the dominant party there, his neck would not have been worth the price of an insurance rate on his life.

Millson, (Dem.,) of Virginia, could but protest against his colleague’s speech. While he agreed with him in his general efforts to oppose everything which might involve a collision, he demurred to the effort to represent every subject, even the most ordinary, up for legislation, as a means for an attempted coercion of the Southern States. He suggested that the endeavor to create such an impression on matters comparatively immaterial would cease to gain credit when they should raise their voices against measures actually objectionable. Should we burn our navy and dismiss our officers for fear the existence of a navy threatens some of the States of the Union? He expected to vote to concur in the Senate’s amendment. He did so because he was in favor of the measure in years past. His colleague, perhaps, had been as uniformly against it. The appropriation would not be available till the 1st of July, and it would be full two years before the vessels could be constructed. The engines, even, cannot be built before the present national difficulties end one way or the other. If his colleague supposed this was a war measure, he could relieve his apprehension. He knew of nothing better to arrest prosecution of war against the Seceded States than what is proposed by this amendment; for, by spending \$1,200,000 in this manner,

that amount will be taken from other objects, and to that extent cripple the prosecution of war, if war was even proposed. He showed the peaceful purposes for which the vessels are intended, and caused to be read the recommendation of the Secretary of the Navy on that subject. He concluded by saying if war comes, his colleague could not fail to discern its approach, for he seemed to watch for war more than those who watched for the morning.

Curtis, (Rep.,) of Iowa, moved to amend the amend-
Running Debate.
ment by adding “Except for the defence of the Federal Government,” and remarked, at some length, upon the spirit of distrust and hate which had been shown by Garnett for the three weeks past. The purpose was* evidently to convey the *intention* of coercion. There were about 900 troops in Washington—a number not equivalent to a single regiment. Were they to take no measures for defence when our ships are fired on and our flag insulted? There was war in the South against the Union and peace of the country, and for the safety of our homes and firesides, and for national defence, we want the army, navy, and militia.

Branch, of North Carolina, said it was true there were but 900 now, but a year hence there might be 90,000. He spoke five minutes, chiefly on the question of order raised by the Chairman against Garnett.

A spirited, and somewhat personal, “interchange of views,” under the five minutes’ rule, succeeded, in which Florence, of Pennsylvania, Phelps, of Missouri, Quarles, of Maryland, and Morse, of Maine, took part. The Senate amendment was finally adopted, by a vote of 112 to 38, authorizing the construction of seven steam
The Sloops-of-War
Ordered.
sloops-of-war, (propellers,) of the second class, as rated in the Navy, which should combine the heaviest armament and the greatest speed compatible with their character and ton-

* The real purpose was to “fire the Southern heart,” and, by making the Virginia people believe in “coercion,” to induce them to delay no longer in taking the precipitate step. He was playing the prescribed rôle of secession.

nage, and whose greatest draught should not exceed fourteen feet.

A North Carolina
Demonstration.

At the evening session, (February 20th,) Ruffin, of North Carolina, made a long speech on the Corwin report. It was heavily charged with the thunders of secession rhetoric. The proposition of a Middle Confederacy was a humbug, hatched by designing men to retard the great Southern movement. The President he characterized as "a driveler—an imbecile—a mere puppet in the hands of designing men." "The President, the Secretary of War, the Lieutenant-General—I thank my God that my name stands on record upon the journals against the revival of the law creating *that* office—have violated the spirit of the Constitution and usurped powers not delegated to them by the law. If such things had occurred in the purer and better days of the Republic, these men would have been hurled—ignominiously hurled—from their high places." He justified the firing into the *Star of the West*. If it be again *necessary* to charter another vessel for a similar expedition, let it be a long, low, raking-looking schooner, and hoist at its peak the black flag, emblazoned with the skull and cross-bones, and then the Stars and Stripes will be saved from insult.

The House Select Committee of Five, to whom was referred the President's Important Report. Special Message of January 8th, made a report, Thursday, (February 21st,) on the State of the Navy, and the conduct of the Secretary of the Navy therein. The report was a strongly drawn document, reflecting, in very severe terms, upon Mr. Toucey—the only remaining original member of Mr. Buchanan's Cabinet. It was accompanied by a Minority Report, by Mr. Branch, of North Carolina; also by a verbal dissent from John Cochrane, as to the views of the majority. The majority document will be given in the succeeding chapter. It is an important *exposé* of the conduct of the Navy Department—one which left upon Mr. Toucey's name a stain of dishonor which his friends failed to wipe away. The points of Mr. Branch's Minority Report will be stated, to show what was the defence

made to the majority's accusations and citations of fact.

The Volunteer bill* then came up for consideration, when Bocock, of Virginia, resumed his remarks thereon. He assumed that the bill proposed to override the civil power of the country. He could not say what the Border Slave States would do in the event of the passage of this bill; but he knew that Virginia is committed, and her honor and interests require she should resist the intended warlike aggressions on the other Southern States. If the bill becomes a law, he hazarded the opinion that in less than three months all the Slave Border States, with one or two exceptions, will be found standing with the Seceded States. He

Bocock's Renewed
Assault.

* As this important measure will have frequent reference to it, we give the wording of the bill:

"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the provisions of an act approved the 28th day of February, in the year 1795, entitled 'An Act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes,' and of the act approved the 3d day of March, in the year 1897, entitled 'An Act authorizing the employment of the land and naval forces of the United States in cases of insurrections,' are hereby extended to the case of insurrections against the authority of the United States.

"SECTION 2. And be it further enacted, That the President, in any case in which it may be lawful to use either the militia or the military and naval force of the United States for the purpose aforesaid, may accept the services of such volunteers as may offer their services as cavalry, infantry, or artillery, organized in companies of the maximum standard, squadrons, and regiments, respectively, according to the mode prescribed for the organization of the respective arms in the military establishment of the United States; and it shall be lawful for the President to commission the officers of such companies, battalions, squadrons, and regiments in their respective grades, to continue till discharged from the service of the United States; and such volunteers, while in the service of the United States, shall be subject to the rules and articles of war, and shall be entitled to the same pay and emoluments as officers and soldiers of the same grade in the regular service."

argued that the Republican party is a hostile organization, because its corner-stone is in opposition to the extension of Slavery, and its rallying-cry is, that Southern institutions are to be circumscribed and opposed, while those advocated by that party are to be extended. In conclusion, he said the Republicans adhere to their platform with more tenacity than to the Constitution; and in the name of the Constitution, which the bill violated—in the name of his constituents, who were to be injured by it—in the name of the common country, whose peace was to be destroyed, perhaps, never to be restored, and in the name of humanity, he denounced and execrated the bill.

A Voice from
Michigan.

Howard, (Rep.,) of Michigan, answered Bocoek, expressing himself freely in regard to the feeling and opposition manifested by the Virginia members. He had been accustomed, he said, always to listen to the Virginian (Bocoek) with pleasure and interest. His reputation for candor, and his great abilities as a legislator had never failed to command attention. But his speech of yesterday and to-day was only listened to with a feeling of surprise. A question, involving the very existence of the Government, is thrown off in appeals to the passions of the people by clap-trap phrases! The appeals of the gentleman were made to be sent to Virginia, to influence the Convention now in session in assisting to break up a Government which has taken the experience of more than half a century to establish. The gentleman denounced the bill in the name of humanity, as unconstitutional, and appealed to the House to let the Seceding States go. Why don't we let them go? They came into the Union, it is said, seeking to promote their happiness, but as they now find they cannot secure it, why not let them go? Why did not the gentleman ask them in direct terms to violate the oath they have taken to support the Constitution? Why blink that question? We have no power to let any State go out of the Union. Our sole duty is to support the Constitution and conserve the Government. When the Government shall legally be dissolved, we shall be

released from our oaths, but so long as he stood here under oath to support the Con-

A Voice from
Michigan.

stitution, he made no appeal to any man to violate that oath, and he wished to hear none to that effect from any quarter. He did not believe the bill conferred on the President any additional powers. If it has any value it is merely explanatory of existing laws. Within less than 60 days 16 forts have been seized, and 14 of them held against the power of the Government. If this seizure was made by any foreign government, or all the powers of the world combined, we would soon take arms against them. These forts mount 1,120 guns, and the property cost \$6,000,000 out of the public treasury. The very soil has been purchased, and the title to the land is in the United States. No person on earth has a right to interfere with them, yet they have been seized and are now held, and certain gentlemen are not alarmed at all about the disturbed peace of the country. Oh, no! If the Government which we are sworn to support would be allowed peaceably and quietly to go out of existence, then there would be no more war, forsooth! He regarded all appeals about coercion as intended to divert the public mind from the real issue. The charge of coercion is most absurd. Coercion is an impossibility in the very nature of things, according to the organization of the State and Federal Governments, which he proceeded to show, and in this connection referred to the seizure of the revenue-cutters, the mint, money, and other public property, and arguing that any Government which rightfully exists has the power to maintain its existence. If a Government has not the power of such defence, it is no Government at all.

The morning hour expired before Mr. Howard's remarks were finished. Stanton obtained consent to make the further consideration of his bill the special order for Monday, (February 25th,) when Howard, having the floor, would conclude his speech.

Adrian, (Dem.,) of New Jersey, presented a memorial signed by over thirteen hundred names—of whom over three hundred were those of Republicans—all from New Bruns-

wick; also another memorial, from the same place, signed by five hundred names, including that of Theodore Frelinghuysen, (candidate for Vice-President on the Whig ticket in 1844—Henry Clay being the candidate for the Presidency.) The memorialists prayed for the adoption of the Crittenden proposition, or for any other constitutional adjustment of national difficulties.

The Corwin Report coming up as the special order, Barrett, (Dem.,) of Missouri, addressed the House in an hour's speech. He quoted from Jefferson's letters to show that the Missouri excitement, of 1820, was hatched by the defeated Federalists in order to create a new local and geographical issue, by which they hoped again to be restored to power; and, by a natural sequence, traced the Republican party from that germ. His characterization of the constituent elements of that party was more forcible than agreeable to the dominant section. He quoted largely from the speeches of Mr. Seward and Mr. Lincoln to show how radical and revolutionary their principles were. John Brown he pronounced to have been a true, *practical* Republican. The great object of the party was, *not* to keep Slavery out of the Territories, for they were already declared to be unfitted for Slave labor; but, to eradicate the institution of Slavery entirely. The Government itself was one of the best ever instituted among men; *it* had done no wrong. It had provided a mode for redressing grievances. "The very election which raised a sectional President to power manifested the existence of a national conservative element which insured a constitutional check upon his administration, and its certain termination at the end of four years. An opposition, which, if united, could have defeated that election, could surely have protected themselves, under the Constitution, in the Union, against the aggressions of any sectional minority."* In view of this,

*We have adverted to this simple and incontrovertible position, which strips the disunionists of their alleged grievances, viz.:—the election of a Republican President. [See page 32 for the figures of the actual minority of the Republicans. See, also, page 137.]

"He entered his solemn protest against the action of the Seceding States. In his opinion it was unwise and selfish, an irreparable injury to themselves, an act of cruel injustice to the Middle and Border Slave States, as well as to the General Government, and of gross ingratitude to a million and a half of gallant men in the North who have made every sacrifice, and dared every danger, in support of the Constitution and in defence of Southern rights." He arraigned the Republican party for its many inconsistencies, in a very pointed and cogent train of thought. Against Mr. Seward he made some strong points, saying:

"But a short time ago we were told by the Senator from New York that between Free and Slave labor there was an 'irrepressible conflict.' Now he says 'that the different forms of labor, if Slavery were not perverted to purposes of political ambition, need not constitute any element of strife in the Confederacy!' But a short time ago we were told that it was necessary to protect the Territories from Slavery, and to drive back the slave power, which was threatening the invasion even of the Free States. Now, says the great leader of the Republican party, 'there is no fear of Slavery anywhere, and the protection of the Territories from Slavery has ceased to be a practical question.'

"Gentlemen of the Republican party, this is no time for trifling—no time for diplomacy; no time for promoting political dogmas; no time for advancing mere partisan interests; no time for trying to preserve doubtful political consistency. Questions of grave moment force themselves upon you. Shall a sacrifice be made of our house—of our race—our lineage—our blood, for those of a strange clime? Shall every seventh white man cut another's throat for the sake of one negro? Will you disregard all ties of consanguinity, and use all your endeavors to ruin ten millions of the noblest race on earth, under pretext of benefiting about one-third of that number of the most degraded? * * * As I have said, *you* hold the destiny of this great nation in your hands."

With all due allowance for the usual misrepresentations—perhaps, we should say, usual misinterpretations, of Northern (or Republican) sentiment, as it appeared to the Southern mind—this speech by the Missourian may be pronounced one of the most *graphic* and well-directed arguments against the dominant party which came from the Southern side of

the House. The gentleman had the misfortune, however, to stand between two determined antagonists, both too much absorbed in their own effort to gain the advantage of position to notice even his presence.

At the close of Barrett's speech the House was called upon to consider the Senate bill providing for the payment of expenses incurred, in Oregon and Washington Territories, in suppressing Indian hostilities in 1855 and '56. In the course of a protracted debate Haskin, (Rep.,) of New York, proposed to refer the matter to Generals Scott and Wool for settlement, when Pryor, (Dem.,) of Virginia, "opened fire" on the

Pryor Again.

military leaders with his sharpest artillery of the tongue. He said General Wool had threatened to carry fire and sword into the South, and General Scott had organized a military despotism in the Capital of the Republic; and, with more unnatural feelings than Coriolanus, proposed to march on his own mother-State. Unlike the people of Rome, the people of that Commonwealth would not seek to conciliate his peace by the exhibition of the tears of their mothers and sisters, but would meet him as would become the sons of Virginia.

The Virginians, of Secession faith, could not forgive the presence of those nine hundred troops in and around the Capital in its hour of danger. It both thwarted their schemes, and implied a want of faith in their "sacred honor"—reason, doubly corded, for their dislike. To the Unionists of Maryland and Virginia those troops were not an unwelcome sight. The rich treasures of the National City seemed safer in their keeping than in that of the conspirators.

The Senate, Thursday, (February 21st,) considered the House bill to suspend the Postal-service in the Seceded States. It excited a warm and protracted discussion, in which Messrs. Doolittle, Douglas, Hunter, Fessenden and others participated.

The minor business consisted in the presentation of a number of petitions by Messrs. Crittenden, Powell, Dixon, and Bigler—all praying for compromise. Also one petition, from Milwaukie—presented by Mr. Doolittle—asking Congress to stand by the Consti-

tution, to execute the laws, and to make no compromises with revolutionists.

Mails in the Seceded States.

Mr. Wade presented a similar petition from citizens of Philadelphia. Mr. Bragg presented the credentials of Mr. Clingman, reelected to the United States Senate, from North Carolina, for a term of six years.

Mr. Hunter opened the debate on the mails. His argument to *prevent* the suspension of mail-routes in the revolutionary States contained much good law, but was so singular in its claims as to be worthy of notice. Asserting that the States actually had seceded, he claimed that there still was an obligation under the Constitution to keep up the mail service! He said:

"The most that any man can maintain is, that this Government, so far as the States are concerned which are within the Union, has the right to enforce its laws upon individuals; but it has not the right to enforce its laws by punishing States. This Congress has not the right to judge that States have violated the Constitution, and to say to them, 'Unless you will act constitutionally and properly, in our opinion, you shall not have your rights under the Constitution; you shall not have your share of the general benefits of legislation.' To do that would consolidate this Government, and make it supreme. If we can say that, because a State has not obeyed the Constitution, in our opinion, therefore, we can deprive it of its share of the general benefits of legislation until it does obey the Constitution; we may set up ourselves as judges of its acts in every respect, and proceed to punish it in this way whenever it departs in any degree from our notion of its constitutional duties."

All of which simply amounted to the legal hint that Congress *must* provide mails for the revolutionists. The same line of argument would have assumed that Congress *must* provide, as usual, for Coast Surveys, Harbor Improvements, Custom-Houses, Light-Houses, Supreme Court-Rooms, Marshal's Offices, &c., &c. That Mr. Hunter did not add these to his list of "general benefits," over which Congress could exercise no constitutional control, probably was owing to the extreme modesty of the Secessionists' demands. Mr. Hunter was an able lawyer, and one of the most experienced statesmen in the country. That he should have compromised his sagacity by demanding the general benefits of legislation to those in actual arms against the General

Government, cannot be excused even upon the plea of the technical strength of his legal assumption. If a prodigal son should seize his father by the throat and demand his money on the plea of a general right to it under his family claim, his argument would have all the force of Mr. Hunter's logic.

Doolittle, (Rep., of Wisconsin), answered Hunter, at some length, and spoke in defence of the bill, which he considered a measure of peace, in that it gave the Postmaster-General power to withdraw mails from revolutionary sections, and thus not compel Government to guard its property *in transitu*. He then adverted, in answer to Hunter's points, as to the changed relations of the affairs of the country, consequent on the new ideas which had entered into our political system, saying:

"New ideas, like new forces, have, indeed, entered into our system, and are the cause and occasion of that revolution we now witness. But what are these new ideas? What are these revolutionary forces which are now demanding the legitimate expression of their power, or threaten to rend or destroy whatever may stand in their way? It has, sir, first and before all others, and more potent than all others, in this new idea very recently adopted by Southern gentlemen, that Slavery is a blessing—that Slavery is a divine institution, and that Slavery is the natural, normal, and best relation of labor and capital. I say, in the first place, that it is a new idea, the out-growth of the brain of John C. Calhoun. But since he uttered it here it has grown with a rapidity almost unexampled in the Southern States, within the last fifteen or twenty years. This idea of Mr. Calhoun, that Slavery is a blessing, was not acknowledged by the men of the South, any more than by the men of the North twenty years ago. The world knows that, in the days of the Revolution, whether you look South or North—whether you look into the writings and speeches of Marion, or Oglethorpe, or Washington, or Madison, or Jefferson, or Henry, or Mason, of the South, or into the writings of Franklin, or Adams, or Jay, or Clinton, of the North, you find the same language on the subject of Slavery. It was regarded, on all hands, as an evil, socially and politically, as late as 1832, within my own recollection. In the Legislature of the State of Virginia her leading men held the same doctrine. They denounced it in terms stronger than any of mine, as a moral and political evil; as a blight, a mildew, a cancer, certain, steady, and fatal in its progress. I repeat, sir, that the doctrine that Slavery is a social

and political evil was universally received at the North, and, with very few exceptions, at the South, until within a very recent period."

Clingman of North Carolina, interrupted to say that, with some knowledge of Mr. Calhoun's opinions, he never knew of his having asserted that African Slavery was a blessing—was the normal condition of the negro, &c. He (Clingman) knew that Mr. Calhoun did entertain the idea that African Slavery was right, as it existed in the South—that it was the natural condition of the negro, *in this country*—an idea which he (Clingman) also entertained. Doolittle answered, on this historically interesting point:

"Mr. Calhoun, on the floor of the Senate, after stating that most Southern men once held that Slavery was a moral, as well as a social and political evil, declared: '*That folly and delusion are gone, and we now hold that Slavery is the most safe and stable basis for free institutions in the world.*' I will not undertake to say that I repeat the precise words, but I know I have given their substance; and from that day to this hour, that idea, uttered by John C. Calhoun, then feebly sustained, but gathering strength and momentum with every revolving year, has become that new idea, that revolutionary force, which has entered into our system, and which is 'now threatening to rend and destroy it in its wild and irregular play.' Sir, it has revolutionized the Southern mind—it has been made to enter the schools and the pulpit of the Southern States, and to reverse their teachings. It has entered into their judicial tribunals, and reversed their decrees. It has entered their political rostrums and their Legislative halls—changed their political creeds. Sir, that idea has gained such a domination in two-thirds of the Slave States, that it reigns, to-day, supreme, despotic, and as intolerant of opposition as the Spanish Inquisition.

"The honorable Senator from Virginia himself (Mr. Hunter) declared in his speech, last Fall, at Charlottesville, that when he entered into the Federal councils, which was at the commencement of Mr. Van Buren's Administration, the moral and political status of the Slavery question was very different from what it now is. Then the Southern men, with but few exceptions, admitted Slavery to be a moral evil, and palliated or excused it on the plea of *necessity*.' But last Winter, in debate, in an elaborate speech, he declared that, to-day, the 'key-stone of the American arch is the black marble block of African Slavery;' and his colleague, interrupting me in debate, asserted that 'in Virginia, to-

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" Idea."

day, *the almost universal opinion now is that Slavery is a blessing to both races, an institution to be*

fostered and encouraged.'

" Whatever claims to be a positive good becomes, of necessity, aggressive. It demands recognition, and threatens to destroy everything standing in its way. I repeat, it is this new idea, this revolutionary force, which, entering into our system, threatens to rend and destroy the Government itself in its wild and irregular play. Ten or fifteen years ago this idea demanded that every department of this Government should yield to the legitimate expression of its power, and threatened to overthrow whatever stood in its way.

" The first demand which it made was, that Congress should surrender all power to restrict the extension of Slavery into the Territories. It demands, in the next place, that the people of the Territories shall have *no power* to resist its expansion. It demands, in the third place, that the Supreme Court, by a decree, shall declare that it is established by the Constitution in every Territory of the United States. And now it goes further, sir, and, with arms in its hands, it demands a *new Constitution*, by which we shall carry the institution of Slavery, not only into the Territories acquired from Mexico, where it was prohibited by law *before* we acquired them, but new provisions by which we shall *carry it into all future Territory to be acquired south of a given line, which may embrace the whole of Mexico and Central America.*

" This new idea, this revolutionary force, demands the expression of its power, or threatens to rend and destroy the best Government on earth, involving, it may be, the hopes and the liberties of the world. And, sir, with an effrontery almost sublime, when with arms in its hands it seizes our forts, fires upon our flag, takes possession of our property, robs our Treasury, it claims to be acting *peacefully*, with the most humane desire to avoid collision and bloodshed. * * As to those other questions, as to what our relations may ultimately become towards these Seceding States, they are matters which belong to the future, which I cannot predict, and which, in my judgment, no human mind is capable of predicting. It rests with Providence; it rests upon exigencies over which, perhaps, we can have no control. Let us wait, and let us see what the developments of Providence, the course of events may be. For myself, I desire most earnestly to avoid the shedding of blood. I desire a peaceful solution of all existing difficulties, and I hope and trust that we may have a peaceful solution. Events are going on very rapidly. We can hardly keep pace with them. We must open our eyes to them, and see them as they are.

Let us not deceive ourselves, nor suffer ourselves to be deceived as to that great idea which underlies what is transpiring in our own day."

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" Idea."

Mr. Hunter replied briefly. He was gratified at the tone of the Senator's speech, and at his declarations relative to the peaceful designs of the Republicans in proposing the bill under consideration. He still deemed it unnecessary, however, as the Postmaster-General already had authority to close offices and to suspend mail routes where the business of the Department could not be prosecuted with safety.

Powell, (Dem.,) of Kentucky, opposed the bill, as giving the power of an autocrat to one of the "head clerks of the President." It was time for Senators, he thought, to inaugurate some other policy than to confide their powers to a head clerk or to a Department.

Fessenden, (Rep.,) of Maine, answered that he thought the opponents of the bill were drawing on their imagination. The bill simply gave power to the Postmaster-General to suspend the operation of the laws, and relieve him of any attempt to enforce the laws. It is most eminently a measure of peace. The secret is, that gentlemen want to force us to acknowledge that secession is lawful. It seems to be the simple truth that gentlemen won't let us have a measure of peace without acknowledging the right of secession.

Douglas gave his views, a second time, on the bill.

Douglas' Views.

He regarded it as a wise measure, calculated to remove irritation. Without the bill, the Postmaster-General would be obliged to carry the mails, in spite of resistance. He then adverted to Doolittle's views regarding the part Slavery was made to play, politically. He thought the opinion that Slavery was either a blessing or a curse would have occasioned no trouble if it had not been attempted to engraft it in the Government, where the Federal Government has no right to interfere in any way. So long as the question is kept in Congress, the irritation will be kept up. If we expect to maintain peace, we must drive the question

out of Congress. He believed there was a deliberate plot to break up the Union, under a pretence of devotion to it, and that there were as many disunionists in the North as the South. The use of the military force must result in civil war. A man cannot be a friend who pursues a policy which leads to war. The Senator from Kentucky has brought forward a proposition which will take the question out of Congress forever.

Doolittle answered Douglas with a reference to the record, which told against him very forcibly. We may quote:

Doolittle " In 1852 we had peace. The
 vs. Slavery question was settled,
 Douglas and settled bylaw. In all the
 Territory of the United States north of 36° 30', it was settled by the compromise of 1820; in New Mexico and Utah by the compromise of 1850. But, sir, this new idea, that Slavery is a blessing, came here to the Federal Government and demanded expansion for Slave labor into the *free* Territories of the United States. It demanded, first, the repeal of the Missouri Compromise act of 1820; and the repeal was made! The Senator from Illinois (Douglas) is the man whose hand was raised to strike down that compromise which had given peace for thirty years. The *idea* then demanded, as its next progressive step, the subjugation of the Northern soil of Kansas, and it was done! Then, when the Lecompton Constitution was formed, though reeking with perjury and fraud, and though *voted down by ten thousand majority* of the people of Kansas, the *idea* demanded that Kansas should be forced into the Union under that most iniquitous constitution in violation of the will of the people! That *idea* is still here pressing new demands; what does it *now* ask? It now *demands* a new Constitution; it demands that the Constitution of our fathers, which was made perfect on this question, shall give way to new provisions to subject Free Territories to the institution of Slavery."

These words came with the force of gospel—they were so true. They really embody the philosophy of the political history of the country for thirty years prior to 1860.

The special order having precedence came up, when the bill to suspend the mails went over. The special order was on the motion to print extra copies of the President's Message, communicating the Virginia Peace Convention resolutions—Wilson, of Massachusetts, having the floor. After some discussion, it was agreed to have an evening session for its consideration.

At the evening session, Wilson having the floor, expressed a wish to speak on the Crittenden resolutions rather than on the special order. Consent being accorded, he gave his views on the great questions before the country, at length. The importance attached to the speech called together a very brilliant audience, who thronged the galleries, while many members of the House found seats in the Chamber. The speech was one of the most elaborate performances of the session, covering the entire ground of National and State relations. As an argument it was masterly. As a statement it was more than individual in its opinions—it echoed the predominant sentiment of the unconditional Unionists of the North. It was thus reported in abstract for the daily press:

" Mr. Bancroft, in his last volume of the History of the United States, had drawn the character of George Mason as one of the band of patriots that carried America through the Revolution to National Independence. This Christian patriot had been truly loyal, and on renouncing the King could stand justified to his own conscience only by the purest and most unselfish attachment to Human Freedom. Sincerity made him wise and bold. He was modest and unchanging, and had scorn for every-thing mean, cowardly, and low; always spoke his convictions with frank earnestness. 'Virginia sent this wise patriot to represent her in the assemblage of statesmen who met to frame a Constitution. This noble son of Virginia admonished the compeers that Slavery brought the judgment of Heaven upon the country, and, by an inevitable chain of causes and effects, Providence punished national sins by national calamities.' These words of admonition and warning resound in the ears of the nation in the dark night now upon us. In this hour of fraternal strifes and treason, who does not see that Slavery has brought the judgment of Heaven on our country, and Providence furnishes a gigantic national sin. One year ago these chambers rang with passionate menaces of disunion, if the free people of the North dared to assume the control of the Republic. Timid conservatives shrank before the angry mutterings of meditated treason; but the farmers, mechanics, and laborers, who recognize no master but God, calmly thronged to the ballot-box, and struck from corrupt and disloyal hands the reigns of power! The treasonable words of last year are now hardened into deeds; madness and folly rule; treason holds carnival in the National Capital; men high in the national coun-

cils plot conspiracies against the Government they have sworn to defend, and clasp hands with the assassins of the Union; States vauntingly proclaim their withdrawal, and seize the fortresses of the nation; insult and fire upon the flag of the Republic. Never since the dawn of creation has there been a conspiracy against the rights of man so utterly causeless; so wicked, and regardless of the judgment of the civilized world and approval of Almighty God. No wonder that the actors in this wicked drama look in vain for one word of human sympathy. These conspirators against the unity of America, and the architects of the Southern Confederacy, receive no words of cheer from any portion of the civilized world. The *Journal des Débats* uttered not only the voice of France, but Europe, and all civilized men, when it said: 'There is not a corner on earth where it will find sympathy and assistance.' Nor can men who plot treason against the Government appeal from the present to the verdict of the future. The destroyers of the American Union may achieve immortality as enduring as its founders, but it will be an immortality of shame and dishonor. This conspiracy was not the work of a day. Nearly thirty years ago the spirit of nullification raised its hand against the Government, and the disciples of Calhoun said that Slavery was the corner-stone of the Republic.

"He then proceeded to argue that the denunciations of the North, that it hated the South, were not true. He said the citizens of Massachusetts, and the whole North, had ever treated the South with kindness and courtesy. New England, and especially Massachusetts, had been singled out for reproach. Massachusetts clings to the teachings of Webster and Adams. She reads in all history that Slavery has hastened the decay and fall of nations, and finds in the pages of Plato, Socrates, Burke, Fox, Humboldt, Washington, Jefferson, and others, testimony which deepened her conviction against Slavery domination and expansion. He referred to the speech of the Senator from Louisiana, (Benjamin;) under the pressure of the searching arguments of the Senator from Oregon (Baker) he lost his temper, and made an assault on Massachusetts. Governor Andrew never said the invasion of Virginia was right, and never had sympathy with it, as the Senator from Louisiana charged. There was no truth in the accusation that Massachusetts sent Senators here to insult the South. He alluded to the threats that unless the North change its sentiments, the Union cannot remain, and contended that the sentiments of the North were those of the Declaration of Independence and founders of the Republic. The venerable Senator from Kentucky comes forward as a pacificator, with a com-

promise. He acceded to the Senator from Kentucky purity of motive and patriotic intention, but said the plan for running the line of 36 deg. 30 min. was not a compromise, but an unqualified concession—a cheat and a delusion. The leaders of Slavery propagandism had fixed their hungry eyes on Cuba, Mexico, and Central America, and had fought their battles on this question. They were ignominiously beaten and then rebelled. The Senator from Kentucky (Crittenden) proposes also to make the rule applicable to all the Territory hereafter to be acquired. The freemen of the North who fought the battle in November will never accept this. He (Crittenden) also proposes to insert in the Constitution a provision that Congress shall not abolish Slavery in the District of Columbia while it exists in Virginia and Maryland. Why should the nation bind itself to await the pleasure of Virginia? Such a proposition is an indignity and insult to the people of the United States. The Senator from Kentucky, seconded by the Senator from Illinois, (Douglas,) propose that the elective franchise shall not be exercised by any persons of the African race. Why is such a proposition made now? This class of men had exercised the rights of citizenship in Massachusetts for eighty years, and the ancestors of these men fought with heroic courage in the Revolution for liberty and independence. Men of the North could never put the propositions of the Senator from Kentucky in the Constitution. They would fear, if they did, the reproaches of insulted reason and violated conscience; that their names would be enrolled among those who have betrayed the cause of the people, and that they would be consigned to the moral indignation of history."

February 22d, being Washington's birthday, the House was not in session. The Senate held a session, but nothing of interest particularly relating to national affairs transpired.

A number of petitions were presented to the Senate, Saturday, some opposing and some favoring compromise. The Post Route and the Utah Appropriation bills consumed the day in their consideration.

In the House, Saturday, the Tariff bill was called up, after much fillibustering, on the part of its opponents, to prevent its consideration. Among its opponents was Garnett, (Dem.,) of Virginia, who, in his remarks on the measure, vindicated his claim to the laurels won by Wigfall in the Senate. His declamation was of the pure secession species. We will quote from the official

Wilson's Speech.

Wilson's Speech.

An Instance of Dis-
union Candor.

report, so that no doubts
be cast on the record :

"This Tariff measure on the necessities of the poor, for the benefit of the iron-mongers of Pennsylvania, is the well-known price of her vote in November. This is your economical party! One hundred and eight millions of dollars in debt in three months! Your President-elect has, we hear, arrived this morning in the city. Has he come to restrain your imprudences? Is he in hot haste to check your reckless extravagance? Or why this night march from Harrisburg? What credit he deserves for its cleverness, and the cunning contrivance by which he has set all the conspirators of Baltimore on the wrong scent! How utterly disconcerting to those terrible conspirators whom Jefferson Davis, and Yancey, and Wise, had, doubtless, placed in wait at the railway-station to assassinate him! Who could have suggested this splendid military stratagem? Was it his own unassisted genius, or was it a plan of that devoted prefect of the Prætorian bands that are to be—Lieutenant-General Scott? * * * It is certain, at least, that you will have to increase the pay of the Lieutenant-General for the signal services that he has performed. You will need a large supply of peacock-feathers for the appropriate adornment of his military dress—the reward for his profound plans and excessive toils in preparing plans of campaign against his native State, and the Southern States generally. Additional secretaries will have to be employed to draw up his bulletins and his 'views' on international law, interlarded as they are with rare excerpts from Paley's Moral Philosophy, and with the yet richer display of his extensive political learning, and his command of the tritest quotations from Pope."

And much more of the same sort, reckless in its insolence and indecent in its recklessness. The "gentleman from Virginia" was only

silenced by Mr. Sherman's attempt to take the bill from the Committee of the Whole. In the course of remarks made by Sickles, (Dem.,) of New York, views were expressed by that member, strongly antagonistic to the bill, and to the Republican ways and means of raising revenue with which to meet the enormous indebtedness of Mr. Buchanan's Administration. His remarks were quite as personal as those of Garnett, though less offensive in terms.

At the evening session of the House, Saturday, speeches were made by Messrs. Gooch, (Rep.,) of Massachusetts; Fenton, (Rep.,) of New York; Haskin, (Rep.,) of New York; Blair, (Rep.,) of Pennsylvania; and Kellogg, (Rep.,) of Michigan.

The week had proven one
of stormy debate, but pro-
gress had been made to-

The Week's Result.

wards placing matters in a better position for the emergencies which seemed impending, and for the reassertion of the dignity of the Government. By the withdrawal of the Southern members, the Republicans, for the first time in the history of the party obtained a working majority. The majority in the Senate was the first in the history of the Government in which the Northern States had a ruling power in that branch. From the organization of the Government up to 1860, the Slave sentiment had had uncontrolled ascendancy in the upper House—thus virtually holding the reins of government. That its sway was despotic and ended in disaster is a fact which its strongest partisans will scarcely question.

CHAPTER XXXIV.

REPORT OF THE SPECIAL COMMITTEE ON THE NAVY. LIST OF THE UNITED STATES NAVAL FORCE, AND ITS DISPOSITION JANUARY 16TH. SECRETARY TOUCHEY'S COMPLICITY WITH THE ENEMIES OF THE GOVERNMENT. THE RESIGNATIONS. THE MINORITY REPORT OF MR. BRANCH.

THE Report of the Special Committee of Five on the President's Message of

January 8th, made to the House February 21st, [see page 431,] was an interesting document, embodying facts of an important nature. It first gave a list of the entire naval force of the country and its disposition, with a list of commanding officers. The list of the vessels we give, together with their location on the 16th day of January, 1861 :

"East India Squadron.—Hartford, steam-sloop, cruising on the East India station ; John Adams, sloop, cruising on the East India station ; Dacotah, sloop, cruising on the East India station ; Saginaw, steamer, cruising on the East India station ; Vandavia, sloop-of-war, on the way to the station.

"Brazil Squadron.—Congress, frigate, cruising on the station ; Seminole, steam-sloop, cruising on the station ; Pulaski, steamer, cruising on the station.

"Pacific Squadron.—Lancaster, steam-sloop, at Panama, January 3 ; Saranac, steamer, at Panama, January 3 ; Wyoming, steam-sloop, at Panama, January 3 ; Narragansett, steam-sloop, on the South American Coast ; Cyane, sloop-of-war, at Panama, January 3 ; St. Mary's, sloop-of-war, at Panama, January 3 ; Levant, sloop-of-war, at Hilo, September 3.

"Mediterranean Squadron.—Richmond, steam-sloop, cruising on the station ; Susquehanna, steam-sloop, cruising on the station ; Iriquois, steam-sloop, cruising on the station.

"African Squadron.—Constellation, sloop-of-war, cruising on the coast of Africa ; Portsmouth, sloop-of-war, cruising on the coast of Africa ; San Jacinto, steam-sloop, cruising on the coast of Africa ; Mystic, steamer, cruising on the coast of Africa ; Sumter, steam-sloop, cruising on the coast of Africa ; Mohican, steam-sloop, cruising on the coast of Africa ; Saratoga, sloop-of-war, cruising on the coast of Africa.

"Home Squadron.—Cumberland, sloop-of-war, at Vera Cruz ; Powhatan, steam-sloop, at Vera Cruz ; Pawnee, steam-sloop, at Philadelphia ; Brooklyn, steam-sloop, at Hampton Roads ; Sabine, frigate, under orders to Pensacola ; Macedonia, sloop-of-war, on way to Pensacola ; St. Louis, sloop-of-war, under orders to Pensacola ; Pocahontas, steam-sloop, at Vera Cruz ; Mohawk, steamer, supposed to be on her station, the coast of Cuba ; Crusader, steamer, supposed to be on her station, the coast of Cuba ; Wyandotte, steamer, supposed to be on her station, the coast of Cuba.

"Store-ships.—Falmouth, sloop-of-war, stationed at Aspinwall ; Warren, stationed at Panama ; Fredonia, stationed at Valparaiso ; Supply, sailed from Pensacola 12th of January for Vera Cruz ; Release, returning from the Mediterranean ; Relief, at New York.

"Special Service.—Niagara, screw-frigate, special service to Japan.

"Receiving Ships.—Ohio, ship-of-the-line, Boston ; North Carolina, ship-of-the-line, New York ; Princeton, steamer, Philadelphia ; Alleghany, steamer, Baltimore ; Pennsylvania, ship-of-the-line, Norfolk ; Independence, razee, Mare Island, California."

There were also in the ports of the United States, dismantled and unfit for immediate service, the following vessels belonging to the Navy :

"At Portsmouth, N. H.—Santee, frigate, 50 guns ; Dale, sloop, 15 guns ; Marion, sloop, 16 guns.

"At Boston.—Colorado, steam-frigate, 40 guns ; Minnesota, steam-frigate, 40 guns ; Mississippi, steamer, 11 guns ; Vermont, ship-of-the-line, 84 guns ; Vincennes, sloop, 20 guns ; Preble, sloop, 16 guns ; Bainbridge, brig, 6 guns

"At New York.—Wabash, steam-frigate, 40 guns ; Roanoke, steam-frigate, 40 guns ; Potomac, frigate, 50 guns ; Brandywine, frigate, 50 guns ; Savannah, sloop, 24 guns ; Perry, brig, 6 guns.

"At Philadelphia.—Pawnee, sloop-of-war, 6 guns ; Water Witch, steamer, 3 guns ; St. Lawrence, frigate, 50 guns ; Jamestown, sloop, 22 guns.

"At Washington.—Pensacola, steam-sloop.

"At Norfolk.—Merrimac, steam-frigate, 40 guns ; Plymouth, sloop, 22 guns ; Germantown, sloop, 22 guns ; Raritan, frigate, 50 guns ; Columbia, frigate, 50 guns ; United States, frigate, 50 guns.

"At Annapolis.—Constitution, frigate, 50 guns."

Of these vessels and their disposition, the Committee then say :

"The number of ships thus lying in port and dismantled and unfit for service is 28, mounting in the aggregate 874 guns. None of them could be repaired and put under sail short of several weeks' time, and several of them would require for that purpose at least six months. No orders have been issued to put in readiness any of them.

"The foregoing comprises the whole naval force of the country—both that which is in commission

Disposition of the
Vessels.

Disposition of the
Vessels.

and in actual service and that which lies in port and is from any cause unavailable in any sudden emergency. From this statement it will appear that the entire naval force available for the defence of the whole Atlantic coast at the time of the appointment of this Committee consisted of the steamer Brooklyn, 25 guns, and the store-ship Relief, 2 guns, while the former was of too great draft to permit her to enter Charleston harbor with safety, except at spring tides, and the latter was under orders to the coast of Africa with stores for the African squadron. Thus the whole Atlantic seaboard has been, to all intents and purposes, without defence during all the period of civil commotion and lawless violence, to which the President has called our attention as 'of such vast and alarming proportions' as to be beyond his power to check or control.

"It further appears that, of the vessels which might have been available for defence or protection in case of any sudden emergency arising at home, now at stations in distant seas, or on their way thither, on the 13th of October last, the Richmond left our coast to join the Mediterranean Squadron, and the Vandalia left on the 21st of September to join the East Indian Squadron, and, about the same time, the Saratoga to join the African Squadron, and others to join the Home Squadron, then in the harbor of Vera Cruz, supporting one of the revolutionary governments of Mexico.

"The Committee cannot fail to call attention to this extraordinary disposition of the entire naval force of the country, and especially in connection with the present no less extraordinary and critical juncture of political affairs. They cannot call to mind any period in the past history of the country of such profound peace and internal repose as would justify so entire an abandonment of the coast of the country to the chance of fortune. Certainly, since the nation possessed a navy, it has never before sent its entire available force into distant seas, and exposed the immense interests at home, of which it is the special guardian, to the dangers from which, even in times of the utmost quiet, prudence and forecast do always shelter them. But the Committee cannot shut their eyes to the fact that this remarkable state of things has occurred at a period in our history without a parallel for internal commotion, lawless violence, and total disregard of the authority of the Constitution and laws, and of the rights of property, public and private—a state of things which the President himself, in the Message referred to this Committee, denominated a revolution of 'such vast and alarming proportions as to place the subject entirely above and beyond Executive control.' During this period combinations have

Disposition of the
Vessels.

been formed for the avowed purpose of overthrowing the Government itself, and have carried forward that purpose in overt acts of violence never before known in the country. The arms of the Government have been seized in arsenals and other places of deposit by lawless mobs, and placed in the hands of those in open rebellion. Fortifications have been taken possession of, navy-yards plundered, and magazines robbed. The guns of the United States upon the battlements of national defences have been turned upon unarmed vessels of the Government, and the flag of the country fired upon by insolent rebels. The revenue service has been outraged, and its vessels treacherously surrendered to those who defied the authorities of the United States, by men holding commissions under the very Government they were betraying. The public moneys in the national mints have been seized, and naval stores plundered. The commerce of the country and the lives of citizens have been put in peril by the wanton and lawless destruction of buoys erected to warn the mariner of sunken rocks; and the lights on the coast have been put out that the darkness and the tempest might be invoked in aid of their resisting the laws. Unarmed and unoffending merchant vessels riding peaceably at anchor in the harbors of the nation, and beneath its own flag, have been seized by insurgent forces in retaliation for obstructions thrown in the way of their revolutionary designs. The law has been defied, the Constitution thrust aside, and the Government itself assaulted.

"Nor has this state of lawless violence and total disregard of public and private rights been a sudden outburst of passion or discontent at some new and unexpected measure of governmental policy to which resistance had never been threatened, and could not have been provided against. But it is in fulfilment of schemes long entertained, and frequently threatened, in certain quarters of the Union. Indeed, it is resistance to the law and the Constitution, consequent upon the election of a particular person to the office of Chief Magistrate of the nation. Of all this, those charged with the execution of the laws and the preservation of the public peace had ample notice. It was for many months apparent to all but the blind that the whole current of events was turned in the direction which was to bring to the test the sincerity of the threats thus uttered. A Chief Magistrate of one of the States had, more than two years before, publicly confessed a design on his part, if the like contingency had happened at the general election four years ago, to have made the attempt to overthrow the Government, by seizing the public arms at Harper's Ferry, and marching upon the Capital itself.

Disposition of the Vessels.	When the Legislature of South Carolina assembled in Novem- ber last to discharge the Consti- tutional obligations of making the choice of Electors of President and Vice-President, the Governor of the State, by special message, recommended that meas- ures should be taken to overthrow that Constitu- tion if the choice of the majority did not coincide with her own. In fulfilment of these open threats, overt acts of resistance to the Government by law- less bands of men followed the announcement that the people, according to the requirements of the Constitution, had made choice of a Chief Magistrate for the ensuing four years not the choice of those who had openly avowed resistance if their own preferences should be disregarded by that majority. From that time to the present the public authority has been defied and the public rights disregarded. Yet during all this time that most important arm of the public defence, the entire navy, has been beyond the reach of orders, however great the emergency. To the Committee this disposition of the naval force at this most critical period seems ex- traordinary. The permitting of vessels to depart for distant seas after these unhappy difficulties had broken out at home; the omission to put in repair and commission ready for orders a single one of the twenty-eight ships dismantled and unfit for service in our own ports, and that, too, whilst \$646,639 79 of the appropriation for repairs in the navy the pres- ent year remained unexpended, were, in the opinion of your Committee, grave errors in the ad- ministration of the Navy Department, the conse- quences of which have been manifest in the many acts of lawless violence to which they have called attention. The Committee are of opinion that the Secretary had it in his power, with the present naval force of the country at his command, and without materially impairing the efficiency of the service abroad, at any time after the settled purpose of overthrowing the Government had become mani- fest, and before that purpose had developed itself in overt acts of violence, to station at anchor within reach of his own orders a force equal to the protec- tion of all the property and all the rights of the Government and the citizen, as well as the flag of the country, from any outrage and insult at any point on the entire Atlantic seaboard. The failure to do this is without justification or excuse."	the officers in the navy, caused by the political troubles in which the country is now in- volved, and the course pursued by the Navy Depart- ment in reference thereto. It will appear, from a 'list of resignations' furnished by the Department, and which accompanies this report, that, since the election, twenty-nine officers in the navy, citizens of Southern disaffected States, have tendered their resignations to the Secretary, all of which have been forthwith, and without inquiry, accepted by him. The circumstances under which these resignations have been received and accepted, and the effect of that acceptance, deserve special notice. That these officers have sought to resign, and relieve themselves from the obligations to the Government imposed by their commissions, because of disaffec- tion and a desire to join, and, in many instances, to lead, insurgent forces against that Government, is notorious. One of them, Lieutenant J. R. Hamil- ton, a citizen of South Carolina, forwarded his resig- nation from on board the Wyoming, at Panama, dated December 1, 1860. It did not reach the De- partment until the 15th of the same month, and, without inquiry into his conduct, his purpose in resigning, his loyalty, or any circumstance con- nected with so unusual a proceeding at such a time, his resignation was accepted the same day. He im- mediately, from Charleston, South Carolina, issued a letter addressed to all the officers in the navy from Southern States, urging them to resign, and join in a hostile force against the Government; and that those of them in commission should bring their ves- sels into Southern ports and surrender them to the traitors already in arms, taking new commissions under their authority, and then turning their guns upon their own flag. Such conduct is nothing less than treason, and has no parallel since the attempt of Benedict Arnold to deliver over important mili- tary posts to the enemies of his country. Had the Secretary declined to accept the resignation thus tendered, this man would have been subject to the trial and punishment of a court-martial, according to the rules which govern the service, and would have met the fate of a traitor. This extraordinary letter was published throughout the United States. After its circulation in the public prints in Washing- ton, V. M. Randolph, a captain in the navy, a citizen of Alabama, who had been excused from active ser- vice for two or three years, because of alleged ill- health, on the 10th of January, 1861, forwarded from Montgomery, Alabama, his resignation to the Secre- tary. Before twelve o'clock, at noon of the 12th, and before his resignation had reached Washington, and while he was still a captain in the navy, he ap- peared at the gates of the Pensacola Navy-yard, in	Resignations in the Navy.
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Canvassing the resignations and Mr. Toucey's conduct in the matter, the following emphatic statements and declarations were made:

"The attention of the Committee was also drawn to the resignations which have taken place among

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Florida, at the head of an insurgent force, and demanded its surrender. The yard with whatever of force it had, and the United States' stores, and other property to a vast amount therein, was unconditionally surrendered to him, and he is now its Commandant, occupying the quarters of the late Commandant, and granting paroles of honor to such of his prisoners-of-war as have desired to depart and not serve under him. The dispatch from the late Commandant, then a prisoner-of-war, informing the Secretary of this ignominious surrender, was received at the Department on the evening of the 13th of January. And the resignation of Captain Randolph, who, on the 12th, was the leader of the insurgents, did not reach the Secretary until the 14th, when, without inquiry or delay, it was immediately accepted. E. Farrand, Commander in the Navy, and also a citizen of Alabama, was the second in command at the Pensacola Navy-yard, the executive officer of the yard. When the attack was made upon the yard, Farrand met the assailants at the gates, by previous understanding, admitted them to the yard, and conducted their leader to the commanding officer, participated in the formal capitulation, and immediately engaged in service under the new Commandant of the yard. This was done while he still held in his possession his commission as a Commander in the Navy. On the 13th or 15th of Jan. (the Department does not know which) Farrand forwarded his resignation to the Secretary; but it did not reach him until the 21st of the same month, seven days after official notice of the surrender had been received at the Department. Yet this resignation was immediately, and without inquiry, accepted. F. B. Renshaw, a Lieutenant in the Navy, and a citizen of Florida, was the First Lieutenant of the yard, and actively engaged in securing its surrender. It was by his order that the flag was hauled down, amid the jeers and shouts of a drunken rabble. He immediately enrolled himself under the leader of the insurgents, and present Commandant of the yard, and from the day of its surrender, has continued under him, to discharge the duty of First Lieutenant, as before under the United States. Yet he continued to hold his commission as a Lieutenant in the Navy till the 16th of January, and his resignation did not reach the Secretary till the 22d, when, like the others, it was, without inquiry or delay, accepted. The conduct of these officers plainly comes within the Constitutional definition of treason against the United States, viz: "levying war against them, or in adhering to their enemies, giving them aid and comfort." And, so long as their resignations were unaccepted by the Secretary, they could be tried and punished as traitors by a court-

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Navy.

martial. From this they have been relieved by the Secretary himself. To have done this with a knowledge of their acts, would have been to have involved himself in their crime, would have been to have committed treason himself. To have done it without inquiry, and without reason, to know that they have committed no offense, shows a want of that solicitude for the honor and efficiency of the service which is indispensable to its just administration. Yet the resignations of Farrand and Renshaw, and also those of the other officers resigning at the Pensacola Navy-Yard, were all received and accepted after the Secretary had already been officially informed that they had surrendered to a lawless band of insurgents and he had detached them to await orders, having "neither approved nor disapproved of their conduct, and not proposing to do so without full information touching their conduct in the surrender of the yard. Why, after having been thus warned, and having taken this position, the Secretary did not wait for this information, the Committee cannot understand.

"Several other resignations of officers who do not appear to have been engaged in actual war against the United States before tendering the same, were nevertheless accepted by the Secretary with an unnecessary haste, which neither the purpose of the resignation nor the times would justify or excuse. Some of them were even accepted by telegraph, when it was perfectly apparent that the object of resigning was to relieve themselves as early as possible from embarrassment, and the obligation of the oath of office, as well as summary trial and punishment by a court-martial, previous to joining insurgent forces against the constituted authorities of the country.

"These resignations, thus accepted, have been followed by immediate engagement in a service hostile to the Government. One man, holding the office of civil engineer in the Pensacola Navy-yard at the time of its surrender, forwarded his resignation on that day to the Secretary, inclosed in a letter to Senator Mallory, in which he expressly states the reason of his resignation to be because he is prevented from acting against the Government by the obligation of his commission. The letter of resignation, and the one inclosing it, stating this reason, were both laid before the Secretary on the 24th of January; yet the Secretary not only accepted the resignation at once, and thus relieved him from the obligation on him not to act against the Government, but caused the acceptance to take effect "from the 12th of January, the day of the surrender of the yard," twelve days anterior to the time of its date. The reason given for thus making this acceptance

<p>Resignations in the Navy.</p> <p>retroactive in its effect, viz.: to stop his pay from that time, did not appear, under the extraordinary circumstances by which it was surrounded, at all satisfactory to the Committee. The resignation of the officer in charge of the Marine Hospital at Pensacola was accepted by telegraph, and he was thereby enabled to take upon himself the same position under the insurgent force, without any interruption. And that of Lieutenant R. T. Chapman, dated on board the <i>Brooklyn</i>, when about to sail under orders, was likewise accepted by telegraph, and he was thus relieved of any inconvenience he would otherwise have experienced in being carried to sea against his wishes.</p> <p>"The course thus pursued by the Secretary in accepting these resignations appears, under the circumstances, to be most extraordinary. No custom of the Department, in ordinary times can justify it. No want of confidence in the loyalty of these officers can excuse it; for if their previous conduct had justified any such suspicion, it also demanded investigation beforehand, which would, as to some of them, have disclosed to the Secretary complicity in treason, calling for courts-martial rather than honorable discharge. A prudent regard for the public safety would, no doubt, have justified, if not imperiously demanded, that some of the officers should have been early removed from delicate and responsible positions of trust, by the substitution of others more reliable. But these very considerations appear to the Committee to have forbidden the furnishing any such facilities for engaging in hostilities against the Government, as the relief from the summary trial and punishment of a court-martial secured by the acceptance of their resignations. The course pursued by the Secretary has resulted in furnishing those engaged in an attempt to overthrow the Government with the skill, experience, and discipline which education at the expense of the Government, and long service in the navy have conferred upon our own officers. The Committee cannot understand how this course is consistent with a proper discharge of the duties of his office by the Secretary in this critical juncture of affairs. It appears to them to have been attended with consequences the most serious to the service of the country. They can find no excuse or justification in the claim set up in behalf of the Secretary that the resignations have been accepted in ignorance of any misconduct, for no resignation should at any time be accepted until there is reason to know at least that the officer tendering it had been guilty of no officerlike conduct deserving a court-martial. But the circumstances connected with these resignations, the apparent purpose for which they were made, and</p>	<p>the hostile attitude which the manner of their tender clearly disclosed, called upon the Secretary to refrain from that haste in their acceptance which permitted of neither delay nor inquiry. The Committee cannot approve, but are compelled to condemn such a failure in the discharge of public duty; and they therefore recommend the adoption of the accompanying resolution:</p> <p>"Resolved, That the Secretary of the Navy, in accepting, without delay or inquiry, the resignations of officers of the navy who were in arms against the Government when tendering the same, and of those who sought to resign that they might be relieved from the restraint imposed by their commissions upon engaging in hostility to the constituted authorities of the country, has committed a grave error, highly prejudicial to the discipline of the service, and injurious to the honor and efficiency of the Navy, for which he deserves the censure of this House."</p> <p>This report was signed by three members of the Committee. A fourth member, John Cochrane, an Administration Democrat, refused to sign, and simply expressed a verbal dissent from the views of the majority. He doubtless did not feel it quite politic to put in a minority report. The minority report of Mr. Branch, (Dem.,) of North Carolina, opened by citing the several duties assigned to the Committee, and says: "In no one of these branches of inquiry can anything be found to justify or demand a scrutiny into the conduct of naval officers, the motives which induced them to resign their commissions, or into the propriety of the Secretary's action in accepting them. However much there might be found deserving of reprobation, the Committee was neither authorized nor required to take cognizance of the subject."</p> <p>In regard to the points raised, he declared the table given "would show that the Foreign squadrons were unusually weak, in proportion to the whole force of the Navy, and the Home squadron unprecedentedly strong." He cited from the Secretary's report of December 3d, 1857, to show that, at that time six ships were considered so large a force for the Home squadron as to require an explanation. The same squadron, on the 16th of January, consisted of eleven ships, of which seven were steamers. He further added, that</p>
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The Minority Report. up to January 24th, not a single ship had been ordered to any foreign station since the Presidential election.

The number of vessels in ordinary he declared to be only usually large—that, even in times of war, it was inevitable that many vessels should be out of commission and in for repairs. If, however, more than usual were dismantled and unfit for sea, it was for the reason that Congress had so restricted appropriations as to leave the Secretary no means for putting the vessels in commission. Another reason was found in the fact that the number of vessels in commission was governed by the numerical strength of officers and seamen in the naval service. The number was limited by law, and the Secretary could not exceed it to put the vessels in commission, even if they had been ready for sea. The Report, therefore, assumes :

“The Secretary deserves no censure, but should receive the highest commendation for inflexibly obeying the law in the administration of his department. Every attempt at retrenchment and economy is defeated, because heads of departments will not themselves conform to the law, and compel their subordinates to do the same. * * The Navy seems to have been adequate for all the demands made upon it by the wise and peace-preserving policy of the President. If the President, who goes into office on the 4th of March, desires to engage in civil war, he will have an ample naval force with which to begin, even so early as the 5th of March ; and there will be, probably, abundant time for increasing it before the war closes.”

The Report then considers the naval resignations, and the conduct of Mr. Toucey in accepting them. We quote :

“It is known that in many, if not most of the cases, the officers, in resigning, have not only given up an honorable profession, for which alone they were fitted by education and habits, but have reduced themselves and families to penury. Some powerful motive must have actuated them. If it was selfish, let any one point out a possible advantage they could promise themselves personally. It could not be that they aimed to recommend themselves to the favor of the Southern Confederacy, for that Government does not possess a ship, and cannot, for a long time, provide itself with a navy. When it does so, it cannot be expected that the affairs will be in any better situation, with reference to their person-

al interests, than they would have been had they remained in the service of the United States. The Minority Report.

It is evident that, in resigning, they have been actuated by a high sense of duty to the States of which, respectively, they were citizens, and that, in the time and manner of tendering their resignations, they have consulted a nice sense of honor. In a few instances they have engaged in the military service of their States, but not until they had resigned their commissions in the Navy of the United States. In no instance does it appear that one of them has betrayed the trust reposed in him by this Government, or engaged in any hostile service, until he had discharged himself of all the responsibilities imposed in his commission.”*

The case of Captain Randolph's resignation was referred to, and disposed of by saying that the Secretary accepted the resignation before he knew of the Captain's conduct in the surrender of the Pensacola Navy-yard and forts.

As to the propriety of accepting the resignations the Report said :

“The chief clerk of the Navy Department testified that there has been nothing unusual in the course recently pursued in regard to resignations, and that the uniform course, from time immemorial, has been to act promptly in resignations, unless some special reason existed for taking the case out of the routine of current business.”

O most impotent conclusion ! one feels like exclaiming, in perusing this defence of the Secretary and the recusant officers. We have before referred to the dishonor attached to the course pursued by those “resigning” officers [see page 117,] and can only say that the defence volunteered by Mr. Branch but heightened the indignation felt towards them and the Secretary. The outrageous cases

* These statements created some surprise, considering the fact that, as almost all the resigned officers had taken commissions in the service of their native States, the confession of “penury” argued a disability on the part of those States to care for its servants. It was also a further admission of obligation to the Government. It had educated and raised to their honorable positions men without resources, and who, therefore, owed the Government for everything they were. The American Navy was a convenient resort for young Southern gentlemen of “patrician birth,” who were without means to sport an establishment on shore. The fact of this dependence Mr. Branch should have suppressed.

of treason, perpetrated by their officers, in the betrayal of the Revenue-Cutters *Coste, McClellan, and Lewis Cass*, doubtless were construed, by the lenient Committee-man, as remarkable instances of the "nice sense of honor" which instigated those many desertions of the old flag. The excuse offered for the Secretary's acceptance of resignations was so discreditable to his loyalty as even to be scorned by those of his friends who had thought there was no power to prevent the stampede from duty. The Secretary knew that the resignations demoralized and weakened the already half-manned navy—therefore it was wrong to allow the officers to leave; he knew they resigned to take the oath of allegiance to a foreign power—therefore it was improper to

allow the old allegiance to be honorably sundered; he knew that their talent and education fitted them for becoming dangerous enemies to the Government—therefore their release from their commissions and their oath was a *permit* to treason. Fostered, educated by the General Government, placed by it in positions of trust, they owed allegiance to it as well by *honor* as by oath; and their resignations should have been *refused*, in every instance.

Mr. Toucey was not Mr. Dix, and Mr. Buchanan was not General Jackson. Otherwise the record of those "stricken from the list," never to be restored to the service, would have embraced all who deserted their country in its hour of greatest need.

CHAPTER XXXV.

THE PEACE CONVENTION. ITS PROCEEDINGS UP TO ADJOURNMENT, FEBRUARY 27TH. ADOPTION OF THE FRANKLIN-SUMMERS-GUTHRIE PROPOSITION. DISSATISFIED FEELING OF THE VIRGINIANS.

The Convention's
Proceedings.
Thirteenth Day.

THE "Peace Convention" continued its sittings through February, ranging through the catalogue of provisos, to discover, if possible, the magic words which should at once read black and white. How successful the sages were, the succeeding pages will record.

The Convention held a four hours' session on Monday, (February 18th.) The proceedings, as far as they transpired, were thus reported:

Mr. Seddon, of Virginia, opened the debate on Reverdy Johnson's amendment to Mr. Guthrie's proposition, restricting its operation to present Territory, [see page 360.] He reviewed the whole ground of controversy between the sections, and stated the position of Virginia, as defined in the resolutions of

her Legislature for the Crittenden plan, with a distinct application to future Territory.

Mr. Boutwell, of Massachusetts, followed in an able speech, vindicating the North from the aspersions cast upon that section, and calling upon Southern Delegates to point out in what respect they had invaded their constitutional rights. The North had its principles, and would maintain them at all hazards. They did not propose to interfere with Slavery in the States, or to commit any aggressions; but, having elected a President fairly and legally, they intended he should be inaugurated, and exercise all the functions of that office. This had been made the ground for secession, which could not be justified in any way.

Mr. Guthrie, of Kentucky, considered the language of Mr. Boutwell as menacing, and

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replied with much emphasis, exhibiting more temper than had been before manifested. He claimed to have come here in a spirit of conciliation, but Kentucky would not consent to see her sister States coerced.

Mr. Cleveland, of Connecticut, interposed in excellent spirit, showing that the remarks of Mr. Boutwell had been misapprehended, and no threats had been employed. He and his political friends appeared here in good faith to compare opinions with their Southern friends, and, if possible, to reach an honorable adjustment without sacrificing principles to which they were solemnly pledged. Mr. Guthrie was quite satisfied with the explanation, and the momentary feeling passed away.

Reverdy Johnson, of Maryland, then spoke, with much effect, to his amendment, declaring boldly that the acquisition of Territory had been the provoking cause of all our national difficulties, and he was ready to stop it and to meet the North half-way by applying the proposition only to that now possessed.

After further discussion, the amendment was adopted—14 to 6—all the Southern States but Maryland voting in the negative, considering themselves under instructions to support Mr. Crittenden's plan. After the result was announced, the South acquiesced without any expression of feeling.

Fourteenth Day. Tuesday's session was devoted to a rather profitless

discussion on the little matter of the length of speeches to be allowed. In the course of debate a pretty free personal expression was had, showing the individual wishes and leaning of members. The Southern States' members having, thus far, had most of the talk to themselves, proposed to cut-down debate to the thirty minutes rule. They also proposed resolutions naming an early day for the final decision of the Convention. All of which little dodges to cut off debate and force action did not avail, for the Northern members seemed indisposed either to make short speeches or to hurry up the proceedings. Dudley Field—of New York reminded the assembly that he would not submit to any

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restriction in the debate. He thought such a suggestion came with a bad grace from those who had been fully and frequently heard.

Commodore Stockton of New Jersey, made a characteristic speech, in which he declared the Convention should not adjourn until it had agreed upon something. He deprecated the idea of coercion, and if it was attempted, there would be found hosts in the North to rise up against the men who would try that policy.

Mr. Granger of New York, contended that the election of Mr. Lincoln was not to be regarded as an indorsement of the Chicago Platform by the great mass of Northern people, and if New York was now called upon to speak, she would give 100,000 majority for Compromise."

Mr. Noyes, of New York, did not regard Mr. Granger as the authorized exponent of opinion in his State, and he would not be deterred from asserting his principles by the menaces of Commodore Stockton.

Mr. Seddon, of Virginia, informed the Convention that if Mr. Lincoln's Administration attempted to collect revenue or execute the laws in the Seceding States, Virginia would treat it as a declaration of war.

Mr. Ruffin, of North Carolina, made a conciliatory speech, deprecating all partisan spirit in these discussions. He was older than the Constitution, and hoped he should not survive its downfall.

Mr. Ewing, of Ohio, spoke of the conservative line of policy, and saw much to condemn in the extreme views held by leading Republicans, who would yield to no compromise—yield to no concessions.

Mr. Morrill, of Maine, addressed several inquiries to the Virginia delegation as the position which that State intended to occupy between the Government and the Seceding States.

Mr. Seddon answered at much length, and in the tone already indicated.

Mr. Rives spoke in defence of the proposed method of amending the Constitution, in answer to charges of irregularity, showing that the Convention which framed the Constitution had not been regularly called. So,

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too, amendments had been incorporated, involving a departure from the strict rule. He thought, in a great crisis like this, we could waive slight formalities.

Mr. Summers concluded the debate in an able and judicious effort, and the Convention adjourned, leaving the discussion untrammelled.

Fifteenth Day.

Wednesday was one of active discussion. Mr. Field, of New York, opened the debate in a long and earnest effort in defence of the Republicans against the compromises proposed—all of which required of them a surrender of principles which they could not make. He would agree to a National Convention, as the Constitution proposed, and that was his remedy.

Mr. Dodge, of New York, was willing to grant compromise, arguing the commercial view of the question of a divided confederacy. He did not regard the Territory in dispute as a matter even worthy of creating a division of feeling, since its future would scarcely be affected by any action of Congress.

Mr. Frelinghuysen, of New Jersey, avowed himself as ready to accept any fair settlement. The peace of the country he valued before all things, and would conciliate by any honorable concessions.

Mr. Smith, of New York, supported his colleague, Mr. Field. He is reported to have "made a most decided impression on the Convention, by a clear, forcible, and conclusive examination of the whole subject, demonstrating that the charges against the North were unfounded, and denying any purpose or policy by the Republicans of interfering with the constitutional rights of the South. But he was willing to meet the complaining section half way—to resort to the great remedy provided by the Constitution—of a general Convention of the States, where all the differences could be fairly and fully considered, so that there could be no valid objection, and it was an honorable mode of extrication."

Thursday, Mr. Smith, of New York, concluded his finely-elaborated argument against the irregular proceedings proposed

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in the way of constitutional amendments. He favored the calling of a National Convention as the only proper mode for effecting the changes demanded.

Mr. Cleveland, of Connecticut, followed, advocating the plan of States initiating the movement for a Convention, directing the action of their delegates by their legislatures.

Mr. Goodrich, of Massachusetts, advocated genuine, not bogus, popular sovereignty in the Territories, and cited Jefferson to sustain his point.

Mr. Loomis, of Pennsylvania, spoke warmly for compromise. Like Mr. Frelinghuysen and Mr. Ewing, he deemed conciliation called for, though he did not indicate clearly how far he would compromise to placate the demands of the Virginians.

On Thursday, a night discussion was held, as general debate was to be closed on Friday at one o'clock p. m., after which the five minutes rule would prevail, for remarks only to amendments offered to the propositions reported.

Among other resolutions offered was one by Mr. Harris, of Vermont, requesting the States to revise their statutes, and to modify or repeal any laws which may conflict with the Constitution or laws of the United States.

Mr. Meredith, of Pennsylvania, made a proposition, covering the entire territorial question as follows:

"That Congress shall divide all the Territory of the United States into convenient portions, each containing not less than 60,000 square miles, and shall establish in each a Territorial Government. The several Territorial Legislatures, whether heretofore to be constituted, or hereafter to be constituted, shall have all the legislative powers now vested in the respective States of this Union, and whenever any Territory, having a population sufficient, according to the ratio existing at the time, to entitle it to one member of Congress, shall form a Republican Constitution, and to apply to Congress for admission as a State, Congress shall admit the same as a State accordingly."

Mr. Franklin, of Pennsylvania, proposed an Article covering the ground of Mr. Guthrie's plan, [See pages, 360—61] but simplifying it rhetorically, if not otherwise improving the

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Kentuckian's badly word-
ed scheme. It read as
follows :

"ARTICLE I. In all the present territory of the United States, not embraced by the Cherokee Treaty, north of the parallel of thirty-six degrees and thirty minutes of north latitude, involuntary servitude, except in punishment of crime, is prohibited. In all the present territory south of that line, the legal status of persons owing service or labor, as it now exists, shall not be changed by law, nor shall the rights arising from said relation be impaired; but the same shall be subject to judicial cognizance in the Federal Courts, according to the common law. When any Territory, north or south of said line, within such boundary as Congress may prescribe, shall contain a population equal to that required for a Member of Congress, it shall, if its form of government be Republican, be admitted into the Union on an equal footing with the original States, with or without involuntary servitude, as the Constitution of such State may provide."

From this day's proceedings it became quite plain that the sentiment of the Republicans was for calling a National Convention—that they were opposed to any compromise which should concede Slavery a status by virtue of the Constitution; and that they were not ready to give up their late victory at the call of disunionists. Notwithstanding this unanimity, there were enough "Conservative" men in the Convention, like Ewing, of Ohio, Loomis, Franklin, and Meredith, of Pennsylvania, Frelinghuysen and Stockton, of New Jersey, Dodge and Granger, of New York, to control the action of the Convention by their dividing votes.

The session, Friday, was
Seventeenth Day. one of some excitement,
reproducing the National
Congress in a general struggle for the floor,
and in the character of the speeches made.
The five minutes' rule was rescinded, and ten
minutes voted, which gave the debate a wider
range.

Seddon, of Virginia, offered as a substitute a proposition that the Cherokee Treaty Grant, which lies south of the line 36 deg., 30 min., should be included in the Territory in which Slavery should be specifically recognized. An amendment to exclude the proposed recognition prevailed, when the whole amendment was rejected, by a vote of 11 to 9. Mr. Reid, of

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North Carolina, in some feeling at the rejection, brought up a proposition for the distinct recognition and protection of Slavery south of 36 deg., 30 min. Rejected by a vote of 17 to 3.

Mr. Curtis, of Iowa, proposed, as a substitute for that section of the Guthrie proposition relating to Slavery in the Territories, the adoption of the Missouri Compromise line, pure and simple. This Mr. Guthrie resisted, on the ostensible ground that, as the Committee recognized the principle of abrogating Slavery north of the line, it was only fair that the legal status of Slavery, as decided by the Supreme Court south of it, should be acknowledged. The people of the Border States required that much. The vote was deferred.

Saturday was a day of prolonged debate—two ses-
Eighteenth Day.
sions being held. Among the propositions submitted was one by Seddon, of Virginia, to distribute the Federal offices *equally* between the North* and the South, on the ground that the public patronage was one of the causes of the sectional alienation. This proposition Mr. ex-President

* The fact that with less than one-third of the population of the country—counting in their slaves—the South had ever had over one-half of the Government patronage, doubtless made the ex-President feel that his proposition to be satisfied with one-half was an offer of great magnanimity. Mr. Holt—himself a Southern man—thus referred to this matter of patronage :

"Not only according to the theory, but the actual practice of the Government, the Slave States have ever been, and still are, in all respects, the peers of the free. Of the fourteen Presidents who have been elected, seven were citizens of Slave States; and of the seven remaining, three represented Southern principles, and received the votes of the Southern people; so that, in our whole history, but four Presidents have been chosen who can be claimed as the special champions of the policy and principles of the Free States, and even these so only in a modified sense. Does this look as if the South had ever been deprived of her equal share of the honors and powers of the Government?"

Mr. Everett has made the same statement, adding : "For a still larger period (sixty-four years) the controlling influence of the Legislative and Judicial Departments have centred in the same quarter. Of all the offices in the gift of the central power, in every department, far more than her proportionate share has always been enjoyed by the South."

The Peace Convention
Proceedings.

Tyler supported in a very earnest speech, which was specially exempted from the ten minutes' rule, in order to hear the eminent Virginian's plea for Government patronage. The vote on the scheme was unexpectedly strong in the negative, viz.: yeas 6, nays 18.

The proposition to substitute the Missouri Compromise line for the first section of Mr. Guthrie's plan was rejected.

Mr. Franklin's substitute [see previous page] was adopted, by 14 to 6. This slightly modified Mr. Guthrie's first article, in using fewer words, and less ambiguous phrase. The second article of the Kentuckian's scheme [see page 361] was then brought up for consideration.

During the day it is reported that Mr. Chase, of Ohio, offered a proposition that it is inexpedient to proceed to the consideration of the grave matters involved in the resolutions of Virginia until all the States participate; and that ample time may be afforded for deliberation, it is resolved that the Convention adjourn to the 4th of April. An exciting debate occurred, but no action was taken. This was understood to embody the wishes of the Ohio and Illinois Legislatures. The object was to await the safe inauguration of Mr. Lincoln, and the acceptance, by the Border States, of his administration, ere any scheme of compromise was adopted or recommended.

The result of this day's proceedings seemed to promise well for a settlement. A letter was written by a "distinguished Southern member" of the Convention to the *Baltimore American*, saying:

"As a matter of opinion, I can speak. Peace will be preserved, and the Union be restored. We have reached the bottom of our troubles, and henceforth our fortunes will be brighter.

"The Conference has met and overcome the Territorial difficulties in a mode satisfactory to all the Slave States represented, and we entertain no doubt but that we shall overcome all other difficulties, and reach a result in all points in the controversy to the satisfaction of a large majority, and probably close our labors on Tuesday. I cannot be more explicit."

Nineteenth Day.

The third clause of the Guthrie plan, viz., "that neither the Constitution,

nor any amendment thereof, shall be construed to give Congress power to regulate, abolish or control, within any State or Territory, the relation of Slavery, nor power to interfere with the inter-State Slave-trade," etc., was under consideration during the day and evening session, but no vote was reached. It elicited a most thorough overhauling from the dissentients, and many amendments were proposed, chiefly verbal, Mr. Guthrie at one moment threatened to withdraw along with the entire Kentucky delegation, but afterwards made a speech which was received with much pleasure, owing to its conciliatory tone.

This day's proceedings proved that, if there was peace in that Peace Convention, it was not because of the peaceful feeling elicited by the debates. There was, beneath all the outward veil of forced smiles and courtesy, a depth of antagonism quite as strong as the antagonistic elements of Slavery and Anti-Slavery could engender. A special report thus chronicled the day's doings:

"The Convention had a sitting of nearly seven hours. The discussion was quite animated. Mr. Turner, of Illinois, made a spirited speech, which roused much feeling for a time, but it subsided before the adjournment. Most of the day was consumed in voting upon amendments and substitutes. Mr. Field's resolution, declaring Secession illegal, was tabled. Mr. Baldwin's proposition for a National Convention was defeated. After these and other preliminaries had been cleared away, the Convention returned to the starting-point, and a division was called on Mr. Franklin's substitute for the first section of Mr. Guthrie's proposition. This had been inserted by a vote of 14 to 6. It was now rejected by yeas 8, nays 11; North Carolina and Virginia voting in the negative. Much excitement was manifested when the result was announced. Mr. Turner moved a reconsideration, which was carried and restored good feeling. The Convention then adjourned till 7 o'clock. The indications are that Mr. Franklin's substitute will carry to-morrow by a decided majority, gaining the vote of Illinois, and possibly New Hampshire. Indiana did not vote to-day."

The night's session was prolonged far into the still hours. No conclusion was arrived at up to adjournment, at 2 A. M.

The Peace Convention
Proceedings.

Twentieth Day.

The Peace Convention
Proceedings.
Twenty-First Day.

This was the closing day of the Convention. The voting was on the Guthrie scheme by sections. As the result of the entire deliberations of the Convention, and as embodying the feelings and ideas of a body of eminent men, chiefly of the "conservative" school, we shall give the several propositions at length, and the vote by which they were adopted.

The vote was by States. The Sections as adopted were the Guthrie scheme, except the first, which was Mr. Franklin's amendment, and Section two, which was by Mr. Summers, of Virginia. The entire sections are subsidiary to Article 13 of the Constitution, to which they were amendments as additional clauses:

"SECTION 1. In all the present Territory of the United States, north of the parallel of thirty-six degrees and thirty minutes of north latitude, involuntary servitude, except in punishment of crime, is prohibited. In all the present Territory south of that line, the status of persons held to involuntary service or labor, as it now exists, shall not be changed; nor shall any law be passed by Congress or the Territorial Legislature to hinder or prevent the taking of such persons from any of the States of this Union to said Territory, nor to impair the rights arising from said relation; but the same shall be subject to judicial cognizance in the Federal Courts, according to the course of the common law. When any Territory north or south of said line, within such boundary as Congress may prescribe, shall contain a population equal to that required for a member of Congress, it shall, if its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without involuntary servitude, as the Constitution of such State may provide.

"YEAS.—Delaware, Illinois, Kentucky, Maryland, New Jersey, Ohio, Pennsylvania, Rhode Island, and Tennessee—9

"NAYS.—Connecticut, Iowa, Maine, Massachusetts, North Carolina, New Hampshire, Vermont, and Virginia—8.

"DIVIDED.—New York and Kansas—2.

"NOT VOTING.—Indiana.

"SECTION 2. No Territory shall be acquired by the United States, except by discovery and for naval and commercial stations, depots, and transit routes, without the concurrence of a majority of all the Senators from States which allow involuntary servitude, and a majority of all the Senators from States which prohibit that relation; nor shall Territory be acquired by treaty, unless the votes of a majority of the Senators from each class of States hereinbefore mentioned be cast as a part of the two-thirds ma-

jority necessary to the ratification of such treaty.

"YEAS.—Delaware, Indiana, Kentucky, Maryland, Missouri, New Jersey, Ohio, Pennsylvania, Rhode Island, Tennessee, and Virginia—11.

"NAYS.—Connecticut, Illinois, Iowa, Maine, Massachusetts, North Carolina, New Hampshire, and Vermont—8.

"DIVIDED.—New York and Kansas—2.

"SECTION 3. Neither the Constitution, nor any amendment thereof, shall be construed to give Congress power to regulate, abolish, or control, within any State, the relation established or recognized by the laws thereof touching persons held to labor or involuntary service therein, nor to interfere with or abolish involuntary service in the District of Columbia without the consent of Maryland, and without the consent of the owners, or making the owners who do not consent just compensation; nor the power to interfere with or prohibit Representatives and others from bringing with them to the District of Columbia, retaining and taking away, persons so held to labor or service; nor the power to interfere with or abolish involuntary service in places under the exclusive jurisdiction of the United States within those States and Territories where the same is established or recognized; nor the power to prohibit the removal or transportation of persons held to labor or involuntary service in any State or Territory of the United States to any other State or Territory thereof where it is established or recognized by law or usage; and the right during transportation, by sea or river, of touching at ports, shores, and landings, and of landing in case of distress, shall exist; but not the right of transit in or through any State or Territory, or of sale or traffic, against the laws thereof. Nor shall Congress have power to authorize any higher rate of taxation on persons held to labor or service than on land.

"The bringing into the District of Columbia of persons held to labor or service for sale, or placing them in depots to be afterward transferred to other places for sale as merchandise, is prohibited.

"YEAS.—Delaware, Illinois, Kentucky, Maryland, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, and Virginia—12.

"NAYS.—Connecticut, Indiana, Iowa, Maine, Massachusetts, New Hampshire, and Vermont—7.

"DIVIDED.—New York and Kansas—2.

"SECTION 4. The third paragraph of the second section of the fourth article of the Constitution shall not be construed to prevent any of the States, by appropriate legislation, and through the action of their judicial and ministerial officers, from enforcing the delivery of fugitives from labor to the person to whom such service or labor is due.

"YEAS.—Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Missouri, New Jersey, North Carolina

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Ohio, Pennsylvania, Rhode Island,
Tennessee, Vermont, and Virginia
—15.

"NAYS.—Iowa, Maine, Massachu-
setts, and New Hampshire—4.

"DIVIDED.—New York and Kansas—2.

"SECTION 5. The foreign slave-trade is hereby for-
ever prohibited; and it shall be the duty of Con-
gress to pass laws to prevent the importation of
slaves, coolies, or persons held to service or labor,
into the United States and Territories from places
beyond the limits thereof.

"YEAS.—Connecticut, Delaware, Illinois, Indiana, Ken-
tucky, Maryland, Missouri, New Jersey, New York, New
Hampshire, Ohio, Pennsylvania, Rhode Island, Tennessee,
Vermont, and Kansas—16.

"NAYS.—Iowa, Maine, Massachusetts, North Carolina, and
Virginia—5.

"SECTION 6. The first, third, and fifth sections,
together with this section of these amendments, and
the third paragraph of the second section of the first
article of the Constitution, and the third paragraph
of the second section of the fourth article thereof,
shall not be amended or abolished without the con-
sent of all the States.

"YEAS.—Delaware, Illinois, Kentucky, Maryland, Mis-
souri, New Jersey, Ohio, Pennsylvania, Rhode Island, and
Tennessee—11.

"NAYS.—Connecticut, Indiana, Iowa, Maine, Massachu-
setts, North Carolina, New Hampshire, Vermont, and Vir-
ginia—9.

"DIVIDED.—New York.

"SECTION 7. Congress shall provide by law that
the United States shall pay to the owner the full
value of his fugitive from labor in all cases where
the marshal or other officer whose duty it was to
arrest such fugitive was prevented from so doing by
violence or intimidation from mobs or riotous as-
semblages, or when, after arrest, such fugitive was
rescued by like violence or intimidation, and the
owner thereby deprived of the same; and the ac-
ceptance of such payment shall preclude the owner
from further claim to such fugitive. Congress shall
provide by law for securing to the citizens of each
State the privileges and immunities of citizens in the
several States.

"YEAS.—Delaware, Illinois, Indiana, Kentucky, Maryland,
New Jersey, New Hampshire, Ohio, Pennsylvania, Rhode
Island, Tennessee, and Virginia—12.

"NAYS.—Connecticut, Iowa, Maine, North Carolina, Mis-
souri, and Vermont—7.

"DIVIDED.—New York.

"NOT VOTING.—Massachusetts." The Peace Convention
Proceedings.

The Peace Conference ad-
journed, *sine die*, at 1 o'clock.

At 2 o'clock Dr. Puleston, Secretary of the Con-
ference, was introduced to the Speaker of the House
of Representatives, and presented the following
memorial, with a letter from President Tyler, and
the amendments adopted by the Conference.

A like communication was handed to Vice-Presi-
dent Breckenridge for presentation in the Senate.

"TO THE CONGRESS OF THE UNITED STATES: The
Convention assembled upon the invitation of the
State of Virginia, to adjust the unhappy differences
which now disturb the peace of the Union, and threat-
en its continuance, make known to the Congress of the
United States that their body convened in the City
of Washington on the 4th inst. and continued in ses-
sion until the 27th.

"There were in the body, when action was taken
upon that which is here submitted, one hundred and
thirty-three Commissioners, representing the follow-
ing States: Maine, New Hampshire, Vermont, Mas-
sachusetts, Rhode Island, Connecticut, New York,
New Jersey, Pennsylvania, Delaware, Maryland,
Virginia, North Carolina, Kentucky, Tennessee, Mis-
souri, Illinois, Indiana, Ohio, Iowa, and Kansas.

"They have approved what is herewith submitted,
and respectfully request that your honorable body
will submit it to the Conventions in the States; as
article thirteen of amendments to the Constitution
of the United States."

This result of the Convention was re-
ported as having been favorably received
in political circles. Even if Congress did
not adopt it, it was thought that the con-
clusions aimed at were such as would afford
the Unionists of the Border Slave States a ral-
lying-point, and thus stay further secessions.
Mr. Crittenden regarded it so auspicious of
settlement, as to express an opinion that the
Virginia Convention would adjourn without
taking any further steps towards revolution-
ary action. How little did the noble Senator
realize the nature of that form of human
depravity denominated Virginia Seces-
sionists!

CHAPTER XXXVI.

THE TREASON OF MAJOR-GENERAL TWIGGS. DOCUMENTS OF THE
"TRANSFER." AMOUNT OF PROPERTY "TRANSFERRED." THE
WITHDRAWAL OF THE TROOPS. GOVERNOR BROWN'S SECOND
SEIZURE OF NEW YORK SHIPS AS REPRISALS. FACTS OF THE
CASE.

A DISPATCH was received
The Treason. at Washington, February
25th, informing the Gov-

ernment that Major-General David E. Twiggs, commanding in the department of Texas, had proven false to his oath, and betrayed his trust by surrendering, to the revolutionists, all the movable property, and the fixed property in forts, barracks, guns, &c., of the United States, in his extensive department. The news was based upon the following dispatch to the New Orleans *Picayune*:

"GALVESTON, February 22—The Executive Committee now in session at Galveston, have received the very gratifying intelligence from Thomas J. Devine, S. A. Maverick, and P. N. Luckett, Commissioners from the Committee of Public Safety, to treat with General Twiggs, at San Antonio, advising of their successful efforts in behalf of Texas, in obtaining a surrender of the public property in this military department, and from the United States army. This result was accomplished by the superior diplomatic skill of the Commissioners, and the admirable military conduct of Benjamin McCulloch, and is eminently successful. The United States army is allowed to march to the coast by the articles of agreement, and to take with them their side-arms, facilities for transportation and subsistence, as well as two batteries of flying artillery of four guns each. The transportation means are to be surrendered, and left upon arrival at the coast. 'By this treaty, without one drop of blood shed, and without sullying in the least the honor of the United States army. Texas comes into possession of over \$1,300,000 worth of public property, principally consisting of munitions of war.'"

The Antonio (Texas) *Herald* of the 23d announced:

"Colonel Ben. McCulloch, with his command, came into town this morning, at four o'clock, to take charge of the Government property. He was joined by the various city companies, and by our

citizens generally. The Alamo property has been given up by the gallant Captain Reynolds, as true a patriot as Texas can boast, who has resigned his commission under the recent United States Government, determined to adhere to the cause of the South. The Lone Star flag now floats as of yore over the renowned Alamo. Negotiations are now going on for the other property in this city, which, if not given up within a few hours will be taken."

"Hurrah for independent Texas! Hurrah for the noble band of K. G. C.'s, who, in the hour of need, proved themselves so prompt in striking for the rights of the South. Hurrah for Texas and the great Southern Confederacy!"

The orders covering this remarkable "arrangement," as published, read as follows:

"SAN ANTONIO, February 18, 1861.

"The undersigned, Commissioners on the part of the State of Texas, fully empowered to exercise the authority undertaken by them, have formally and solemnly agreed with Brevet-Major-General David E. Twiggs, United States Army, commanding the department of Texas, that the troops of the United States shall leave the soil of the State by the way of the coast; that they shall take with them the arms of their respective corps, including the battery of light artillery at Fort Duncan, and the battery of the same character at Fort Brown; and shall be allowed the necessary means for regular and comfortable movement, provisions, tents, &c., and transportation.

"It is the desire of the Commission that there should be no infraction of this agreement on the part of the people of the State. It is their wish, on the contrary, that every facility shall be afforded the troops. They are our friends. They have heretofore afforded to our people all the protection in their power. They have been our protectors, and we owe them every consideration.

"The public property at the various posts, other than that above recited for the use of the troops, will be turned over to agents to be appointed by the

The Documents. Commission, who will give due and proper receipts for the whole to the officers of the army, whom they relieve in their custody of the public property.

"THOMAS J. DEVINE,

"P. N. LOCKETT,

"S. A. MAVERICK,

"Commissioners on behalf of the Committee of Public Safety."

"HEADQUARTERS, DEPARTMENT OF TEXAS, }
SAN ANTONIO, February 18, 1861. }

"[General Orders, No. 5.]

"The State of Texas having demanded, through its Commissioners, the delivery of the military posts and public property within the limits of this command, and the commanding-general desiring to avoid even the possibility of a collision between the Federal and State troops, the posts will be evacuated by their garrisons, and these will take up, as soon as the necessary propositions can be made, the line of march out of Texas, by way of the coast—marching out with their arms, (the light batteries with their guns,) clothing, camp and garrison equipage, Quartermaster's stores, subsistence, medical, hospital stores, and such means of transportation of every kind as may be necessary for an efficient and orderly movement of the troops, prepared for attack or defence against aggressions from any source.

"The troops will carry with them provisions as far as the coast.

"By order,

"TWIGGS,

"*Brevet-Major-General.*"

The list of property

The Property.

"transferred" by the Commanding-General was as follows:

1,800 mules, valued at \$50 each.....	\$ 90,000
500 wagons, valued at \$140 each....	70,000
950 horses, valued at \$150 each.....	142,500
500 harness, valued at \$50 each.....	25,000
Tools, wagon materials, iron nails, horse and mule shoes.....	250,000
Corn (at this port).....	7,000
Clothing.....	150,000
Commissary stores.....	75,000
Ordnance stores.....	400,000
Total.....	\$1,209,500

The San Antonio *News* of February 23d stated that the property seized at that point comprised \$55,000 in specie; 35,000 stand of arms; 26 pieces of mounted artillery; 44 pieces dismounted artillery, with a large supply of munitions.

To this was to be added the fixed property in forts, barracks, officers' quarters, guns, &c., costing the Government about three millions of dollars in the aggregate.

Thus, at one grand blow, the Government was disarmed in that quarter, and the revolutionists placed in possession of stores, munitions, transportation, arms, and clothing enough to arm and equip a force sufficient for the entire "defence of the State."

The excuse for this gigantic treason was that offered by all the lesser conspirators in their several "seizures"—that it was necessary to prevent the South from being "coerced." Not that Government had done anything to warrant the charge of danger to the State. The only step taken was an order for Colonel Waite to assume command of the Department, for the reason that Twiggs had intimated his unwillingness to stand by his Government in event of a final issue of arms. Anticipating the arrival of Colonel Waite, the commanding-general hastened the consummation of a transaction unquestionably prearranged with the War Department. Again had Mr. Floyd proven his wisdom by placing a person in command of the most important military department in the country, who should, at the right moment, do the right thing for Southern interests.

As stated in the dispatch to New Orleans, the troops "were permitted"

The Troops.

to march to the coast with their arms, &c. As they were located along a line extending from Brownsville and Austin as far north as Santa Fé, the privilege of marching to the sea-coast was a boon of which some of the troops could avail themselves; but not all, particularly as the means of transportation were, in some cases, extremely limited. Many found their way to Santa Fé. Some to Fort Smith, near Arkansas. Others pushed on to California; and not a few companies, with their officers, demoralized by the transaction, went over to the revolutionists. Those who found their way to the coast arrived at Galveston and Corpus Christi, in a disordered state, though the loyalty of many of the company and regimental officers prevented the total dispersion of their men under circumstances which tested not only

their patriotism, but their ability to cope with untoward events. Several instances occurred wherein the officers in command of certain posts positively refused to obey the order of Twiggs to surrender and withdraw. But, in all cases, the overwhelming force of Texans, chiefly composed of cut-throats and scoundrels of every grade, who stood ready to dispossess the United States troops by direct assault, left no alternative to the loyal officers and men either to evacuate or to be butchered without mercy. The United States transport *Daniel Webster* happened to be on the coast at the time, and bore the first arrivals of the troops to Key West, Tortugas, and Fort Pickens, whose garrisons they contributed to strengthen. The troops from the upper forts came in during March, and embark as means of passage offered. The United States authorities hastened to send transports, and succeeded in removing most of the men who came in up to April 15th.

By order of the War Department an order was published, March 1st, dismissing the recreant Major-General, in disgrace, from the service, for disloyalty to his flag and treason to his country.

Governor Brown's
Second Seizure.

On the 21st of February, Governor Brown again ordered the seizure, as reprisals, of Northern vessels. It will be remembered that, in our account of the first seizures, [see pages 331-32,] ten cases of arms belonging to citizens of Georgia were retained by the New York Police. As these cases were not given up, and no "satisfaction" was accorded to the Sovereign Governor, a second descent was made on vessels in Savannah harbor, and two Northern ships seized to be held in reprisal, until the restoration of the said ten cases of muskets. The Governor, in his order to Colonel Jackson, to make the second attachment, thus explained his reasons for the act:

"Twelve days have passed since I mailed to the Governor of New York the communication above referred to, and I have received no response from him. He has not only refused, therefore, to order the restoration of the property of which his police had plundered our citizens, within the limits of his own State, on a demand sent by telegraph, but he

has neglected and refused to answer a written communication upon the subject, sent to him through the regular medium of the mail.

"While I held possession of the vessels seized, my agent was informed that the guns were at the command of their owners. Acting upon this assurance, I ordered the release of the vessels; and my agent, is now informed that the officer in possession of the guns *has changed his mind*, and that he will not now permit them to be returned to their owners. These facts show very clearly that it is the settled policy of the authorities of New York to subject our commerce to a surveillance which we cannot with honor submit to, and to seize upon our property and plunder our citizens at their pleasure.

"Under these circumstances, I feel that I, as the Executive of Georgia, would prove recreant to the high trust reposed in me by my fellow-citizens, were I to refuse to protect their rights against such unprovoked aggression, by all the means which the law of nations or the Constitution and laws of this State have placed at my command.

"It therefore becomes my duty again to direct you to call out such military force as may be necessary for that purpose, and to renew the *reprisals*, by the seizure, as soon as practicable, of vessels in the harbor of Savannah, or other property in the city or elsewhere, within your reach, belonging to the State, or to citizens of New York, at least equal in value to double the amount of the original seizures made by you. You will hold the property so seized subject to my order; and it will be released when the guns in question (together with any other property of our citizens which has been, or may, in the mean-time, be unlawfully seized by the authorities of New York,) are actually shipped from the harbor, and are beyond the reach or control of the police of the City of New York, or the authorities of that State."

The fact that the Superintendent of the New York Police had acted solely on

The Facts of the Case.

his own responsibility, as an officer of the peace, relieved Governor Morgan from any connection with the affair; and, if Governor Brown addressed him as stated, it is not probable the Governor of New York could have exercised any authority in the matter, even if he had felt inclined to comply with the imperative demand. It was simply a question for the courts to decide, as the Police authorities admitted in their answer to all informal applications to deliver up the arms. The thirty-eight cases belonging to Alabama were delivered up to the Sheriff

upon his requisition, after proper legal proceedings, and it only remained for the Georgia claimants to pursue the same process to obtain their ten cases. But, Governor Brown did not propose any legal formality in the matter. His mere demand should suffice; as that was not obeyed, he made the second seizure of two ships. Against these acts the owners of the vessels were powerless to obtain redress, for the reason that their remedy was in Georgia local courts, or, failing there, was in the direct interference of the General

Governor Morgan's
Views.

Government. Gov. Morgan, when applied to by the owners of the craft

first appropriated by the Georgia Executive officers, had answered their inquiries as to their mode of redress as follows:

"I can only say that your remedy is through the United States Courts, or, if you so elect, through the courts of the State of Georgia, within whose limits the offence of which you complain is stated to have been committed. In a case of this kind the Executive authority of New York can render you no assistance, for the obvious reason that no law of this State has been infringed, and because the wrong was not perpetrated within its jurisdiction. If, as you state, officials or citizens of Georgia have detained your vessel as a measure of retaliation for the alleged seizure of certain arms by the officers of the police of New York, the tribunals of that State, or of the United States, it must be presumed, will determine the act as entirely unjustifiable, and will afford you ample redress for any loss by detention or otherwise which you may suffer. If your vessel is detained for any other reason than the one suspected by you, it is but fair to assume that the courts of Savannah will examine into the facts with that im-

partiality which should characterize all judicial proceedings. It is but proper to add, that if the detention of the *Adjuster* is the deliberate act of the constituted authorities of Georgia, it is equally unjustifiable, and there can be no doubt that, at no distant day, the Federal authorities will obtain full reparation for you for any damages you may sustain; if not, then the General Government itself, which owes you protection, in return for your allegiance, is thereby under the fullest obligations to indemnify you."

All that was required to obtain the muskets was to replevin them, and leave it for the courts to decide as to the legality of their detention. The ten cases were finally released, by process of law, for the reason stated on page 332, viz.: that the arms could not be *proven* as belonging to *disloyal* citizens.

These several reprisals did more to injure the commerce of Georgia than

Injury to Southern
Commerce.

could have been surmised. Northern vessels soon ceased to frequent the waters of Savannah harbor; and, as they were not admitted to Charleston harbor, the commercial interests of Georgia and South Carolina, by March 4th, were suffering from great restriction. In inaugurating the persecution of Northern men and commerce, the Southern States struck directly at their most prosperous resources of trade and exchange. Thus, the people were made to suffer, even before hostilities were actually inaugurated by the assault on Sumter, by the arbitrary acts of the very few men directing the destinies of the South.

CHAPTER XXXVII.

PROCEEDINGS OF CONGRESS CONTINUED. THIRTEENTH WEEK.
THE VOLUNTEER BILL. FINAL VOTE ON THE REPORT OF THE
COMMITTEE OF THIRTY-THREE. ITS ADOPTION. INTENSE EX-
CITEMENT PREVAILING. THE SENATE ACTION ON THE PEACE
CONVENTION PROPOSITIONS. THE END FORESHADOWED.

Importance of the
Week.

THE thirteenth week of the second session of the XXXVth Congress was one of the most important and interesting in its results of any six days of the session. Speech-making was subordinate to action. The numerous speeches already recorded in these pages prove how ably and thoroughly the entire question of Government was handled. The Convention of Delegates called in 1787, to revise the Articles of Confederation, embodied no finer forensic ability than was displayed in the winter of 1860-61. The wide range of the debate, rendered necessary by the extraordinary nature of the questions sprung by the destructionists, viz.: of a *right* to break up the Government; of a *right* to a constitutional sanction of property in man; of the *right* to equality of the minority; of a *right* to the extension of Slavery over free Territory—called forth all the lore and mental resources of men not unfitted for the crisis; and the future will not fail to regard the eloquence, the argumentative and legal strength, the learning, the tact, exhibited, as worthy of association with that great era in British legislation, when Pitt, Fox, Burke, Erskine and Sheridan sent the splendors of their rhetoric scintillating over the intellectual, like the magic Northern Lights over the material, heavens. This is challenging a severe ordeal of criticism; but, we may appeal in confidence to the *Globe* to justify our parallel. Great emergencies are said to call forth ready minds: in the declamation of both Northern and Southern men will be found a verification of the aphorism. We have sought to reproduce, in some degree, these notable speeches, though we have, from the necessity of condensation, been more fre-

quently compelled to a mere brief of the argument, instead of admitting the graces of oratory.

In the Senate, Monday, (February 25th,) a number of petitions were presented of a very stern anti-compromise character, declaring for the Union, the Constitution, and the enforcement of the laws against revolution and treason. *Per contra*, Mr. Bigler presented the resolutions of the Pennsylvania State Democratic Convention, held at Harrisburg February 22d, declaring against the use of coercive measures towards any of the Seceded States; approving of the conciliatory overtures made by the Southern Border States; and declaring their hearty concurrence in all reasonable and constitutional measures for the preservation of the Union consistent with the rights of all the States. These resolutions were not as rankly pro-Southern in their demands as those passed, early in the month, by the Democratic State Conventions of Connecticut [see page 363] and Michigan. Their modified tone was indicative of the rapid change in public sentiment, against which the leaders of the Democracy eventually had to succumb. Very significant petitions were presented by Sumner, of Massachusetts, Ten Eyck, of New Jersey, and Trumbull, of Illinois.

Among matters up for consideration was the bill giving the Postmaster-General power to suspend postal relations with the insurrectionary States, which was strenuously opposed by Hemphill and Wigfall, of Texas, Mason, of Virginia, Pearce, of Missouri, and other Southern members. They generally protested against the use of

Mails in the Seceded
States again.

the word "insurrection," as offensive to the ears of "gentlemen from the South"; and proposed substitutes calculated to strip the bill of its retaliatory character.

Hemphill offered a substitute for the bill, that "whereas, several States have withdrawn from the Union, and the laws of the United States no longer have force: therefore, *Resolved*, that the Postmaster-General is authorized to discontinue the postal service, and make arrangements with the Government of those States in regard to the same."

Polk, of Missouri, moved to modify the amendment so as to read, "In all the States which have withdrawn from the Union the Postmaster-General shall have power to discontinue the postal service." Lost—yeas, 19; nays, 30. Hemphill's substitute was also voted down—9 to 38. The bill was discussed at some length before being put upon its passage. In the course of remarks made by Green, (Dem.,) of Missouri, there was an exhibition of ignorance, and of egotism—ever apt to accompany ignorance—which did not reflect creditably upon the intelligence of the State from whence he came. The Senator located the "Whiskey Insurrection" in John Adams' administration, and made Washington commander-in-chief for its suppression! The bill finally passed, by a vote of 34 to 12.

A very long discussion followed on the Civil Appropriation bill, which, after sundry amendments, finally passed by a vote of 30 to 4. The session was prolonged late into the evening.

In the House, Monday, The Morrill Tariff Bill. (February 25th,) the Morrill Tariff bill, with its one hundred and sixty amendments, was under consideration in Committee of the Whole. The discussion was one of intense interest, and the bill, at the hour of one, found only about one-third of the amendments acted on, when the Chairman of the Committee of Ways and Means urged the necessity of concurring in all the amendments, to many of which he was opposed, and, under other circumstances, would vote against them. But he believed the very existence of this Government depended on the prompt passage of this bill, which is substantially the act of

1847. When the present Administration came into power, the public debt was \$29,000 000, with nearly \$18,000,000 in the treasury; but now the public debt is over \$96,000,000. The smallest possible amount the Government can get along with the next fiscal year is \$58,000,000. It was a necessity to pass the bill.

The amendments were finally acted upon, under the operation of the previous question. All the Senate amendments were concurred in, except that on tea and coffee, on which Mr. Sherman asked and obtained a committee of conference.

The Volunteer bill [see p. 431] came up, when Howard, of Michigan, resumed his speech [see p. 432.] assuming that the bill only gave construction to laws already in existence. Congress must put in the President's hands means to perform his duty, if it expects him to perform it, and must instruct him as to the mode in which he should do it. They could not be released from this obligation. He repeated, that the President should have power to execute the Constitution in *all* its parts. The highest duty of a Government, which dates far anterior to all constitutions, is to preserve its existence. He reviewed the several asseverated causes of the revolution, showing how groundless they were. His statements on this head were clear and concise. His summary was not calculated to add strength to the hopes of the compromisers. His words were:

The Volunteer Bill—
Howard's Speech.

"When the madness of the hour shall pass away; when this excitement shall have disappeared; when men shall look at these things coolly, they will denounce this whole movement as the most causeless revolt to be found in the history of the world. There has been nothing like it since Lucifer and his angels were thrown over the battlements of heaven. There is no foundation for it. There are no difficulties here which might not be settled, and, in my judgment, which ought not to be settled. But, remaining unsettled, what is the duty of Congress? They have but one duty to perform, and that is to move on with moderation, with coolness, with wisdom, but with unflinching firmness, to the discharge of every great constitutional duty—namely, the execution of the laws of the Union; the defence of the Union, the public property of the Union—in short, the execution of the Constitution. *This must be done.*

There is but one tribunal which can release Congressmen from the duty, and that is, the sovereign power which framed the Constitution. That is the only power which can dissolve this Government; and until it is dissolved by that power, our duty is not doubtful, nor will the final result prove our authority to have been uncertain."

Pryor, (Dem.,) of Virginia, followed in a brief but characteristically violent speech. He did not, at that late hour, propose to discuss all the issues challenged by Mr. Howard's speech. But one good result from the passage of the bill he would consider:

"Inasmuch as its enactment—its eventual enactment—is a foregone and inevitable conclusion, I do most fervently pray that it may be adopted at once, to the end that the people of Virginia and the South may be roused to an apprehension of the perils which menace their destruction. Sir, it is by this policy of concealment and procrastination; this Machiavelian policy of 'divide and conquer,' that the enemies of the South have sown division in its councils. Dissembling designs which I know they entertain, and pretending pacific purposes, which I know they abhor at heart, they have succeeded, so far, in detaching the Border States from the Southern interest and alliance. Sir, for the sake of a united South, for the sake of the cause now suspended on the success of the Southern movement, I beseech gentlemen on the other side—nay, I rather defiantly challenge them, to assume the attitude of avowed hostility correspondent with their bloody designs."

No man, he declared with a violent demeanor, dared to gainsay the assertion, that the Republican party were resolved never to recognize the independence of the Seceded States, nor to surrender the control over the captured forts. In short, they are resolved to permit the South no other alternative but submission or subjugation. In the event that the South declines to capitulate, coercion by arms is their purpose and policy. Who so bold as to deny this assertion? He desired to proclaim to the country that the policy of the dominant party and the incoming Administration is to carry slaughter and sword into the bosoms of the people of the South, rather than tolerate the existence of a Southern Confederacy. The object is to chastise and subdue the Seceded States. By this bill the President may carry on against them a vigorous

hostility. In fact, it was a measure of fratricidal and civil war clearly against the letter and spirit of the Constitution. He closed his fulmination in these words:

"Then, sir, I say, pass your bills of coercion. Pass them with whatsoever indecent haste and aggravating circumstance. Collect the materials of war, so that when your leader descends upon the scene he may draw the curtain from the bloody drama—so that when he assumes the reins of power he may precipitate his legions into the bosom of the South. I do not say they may be 'welcomed with bloody hands to hospitable graves,' but this I will adventure: that the people of the South will not surrender their rights without a struggle; and that for whatsoever may be wrested from them by the grasp of superior force, they will indemnify their posterity by bequeathing them the legacy of an untarnished name."

Curtis, (Rep.,) of Iowa, answered the Virginian's irate declamation. He (Pryor) had followed in the same line of argument as others from his State, which, evidently, was meant to keep the public mind inflamed and bewildered. The Republicans were accused of med-

Curtis' Speech.

itating coercion, when everything they had done and said had no such bearing. The gentleman expressed the hope that the bill would speedily pass for the purpose of arousing Virginia and the South. He did not thus speak to reason, to the bill, or to Congress, but to the Convention of Virginia, and to the assemblies of the South, who are taking action against their own mother-country. The gentleman's own statement that a Confederacy exists within the United States should induce us to draw around ourselves all the means of power and protection we can command. If we are a nation, we ought to show it. What are the pillars of Government? Goodness, wisdom, and power. There can be no Government without power, and no law without sanction, the omission of which would be mere advice. The bill now pending was for means of defence, and for the sake of peace. He contended that there was nothing unconstitutional in the bill, which only extended the provisions of existing laws. Jefferson, and Madison, and other Presidents had power to call out State troops. He repeated, that the bill is intended to aid in the execution of the

Curtis' Speech.

laws, maintain our common Government, and protect and shield our citizens in all sections. He did not make war on the Southern States, but every man who raised his hand against the Government, as in the Southern States, was in rebellion against it. If gentlemen have affection for the country, let them rally around its standard. There is no peace if people will not show more loyalty. The peace and safety of society depend on the Government, which every man is bound to support, and the Government is bound to support every man.

He was interrupted, at some length, by Simms, of Kentucky, Rust, of Arkansas, Hughes, of Maryland, Clark, of Missouri, Branch, of North Carolina, and Burnett, of Kentucky—all of whom contested his positions and inferences with some feeling. Burnett, among his inquiries, asked whether it was the purpose of the Republicans, under this bill, to reenforce the forts in the Seceded States now held by the Federal Government, and to recapture the forts taken therein, unless they shall be surrendered.

Curtis replied, that his purpose was to support the Constitution as it is, until some power shall be vested in him to do otherwise. He had sworn to support the Constitution, and must do so. It may not be necessary to reenforce those forts in the present exasperated state of the public mind. He (Curtis) recognized rebellion and civil war as existing in the South. He would resort to all honorable means to avoid a conflict of arms, and did not believe it would be necessary to move an army thither until the people carry their hostility against the United States.

This did not satisfy. Simms asked another question. In executing and enforcing the laws, do you hold it necessary in doing so to reenforce the Southern forts in possession of the Federal Government, and to recapture the property?

The reply was, that he (Curtis) was not going to say in open session what might become the duty of his country in event of further aggressions. He would not speak of measures that ought to be spoken of only in secret session, if a purpose of that kind were entertained.

Simms, from his seat, said "*Murder!*"

Curtis' Speech

Curtis answered — that murder came from the other side. The acts of assassins were not from the Republicans—the murderous axe against the Government was wielded by persons skulking in the Executive Chamber and Senate of the United States, striking at their own mother—their mother-country.

Burnett, of Kentucky, replied to the member from Iowa. He believed, with his friend from Virginia, that the passage of the bill was a foregone conclusion, and declarative of war. Such a measure never had passed Congress nor received the approval of any President. Those who framed and put the Constitution into operation expressly declared that, under no circumstances, in no conceivable state of the case, were the militia of the several States ever to be called into service by the Federal Government, except in subordination to the civil powers. The bill gave the President unlimited power over the army and navy, and enabled him to call into service 3,000,000 volunteers. The time has gone by to deal with theories, and the fact of secession must be looked on as a reality. The revolution was peaceful, successful, and the result a Confederate Government. Was it not better for us and our posterity to recognize that Government—not its independence, but the existing fact—and then treat with it, instead of involving and threatening the country with civil war? No man had more love for the Union than himself, but it must be one of equality, and Kentucky would stand by no other. In arraigning the Republicans, he said that they had rejected all propositions from the Border Slave States, and to accept less than what they contained would be dishonorable, therefore impossible.

John Cochrane, of New York, having obtained the Sickles' Amendment floor, gave way for an amendment offered by Sickles, of New York, as follows:

"*Provided*, That none of the troops to be raised under this act shall be employed, except to aid in the execution of judicial process issued in conformity with the Constitution and the laws; nor shall any of said troops be sent into any State unless upon

the request of the Legislature thereof, or of the Executive, when the Legislature shall not be in session, in conformity with section four of article four of the Constitution."

Volunteer Bill Postponed.

Before any action was taken, Corwin moved to postpone further consideration of the bill until Thursday the 28th, which was done, although Mr. Stanton declared such a postponement was equivalent to killing the bill. The vote to postpone stood 100 to 74. Among other remarks made during the calling of the yeas and nays, Mr. Bouigny, of Louisiana, said: "With all due respect to the gentleman who introduced this bill, I must say—and it is my duty to say—that it is the most infamous and outrageous bill that has ever been presented to Congress; and I say shame on the man who did it!"

The Report of the Committee of Thirty-three being the special order, came up. Then followed a scene which the dramatist of Pandemonium in Parts might have chosen for one of his acts. The hubbub grew out of the effort to establish the order in which the propositions and amendments were to be considered.

In the House, Wednesday, (February 27th,) the Select Committee of Five reported, in a majority and minority report, on the Correspondence between the President and the authorities of the State of South Carolina. These interesting documents will be comprised in a succeeding chapter.

The report of the Committee of Thirty-three was called up, when several members proceeded to give their views. Debate was, however, cut off, and the voting, under the call of the previous question, proceeded. The first vote was on the amendment proposed by the Pacific States' members of the Committee, Messrs. Burch and Stout. It recom-

The National Convention Rejected.

mended to the several States of the Union that they, through their respective Legislatures, request Congress to call a Convention of all the States, in accordance with the Fifth Article of the Constitution, for the purpose of amending the Constitution in such manner, and with regard to such subjects, as will more adequately respond to

the wants, and afford more sufficient guarantees to the diversified and growing interests of the Government, and of the people composing the same. This substitute was rejected, by a vote of 74 to 108.

Kilgore, (Rep.) of Indiana, then moved that the resolutions and the pending amendments be laid on the table—a motion that would dispose of the entire reported resolutions and all the amendments—which latter included the resolutions offered by Mr. Kellogg, [see page 310,] and the Crittenden resolutions, [see pages 156-7,] as submitted by Mr. Clemens, of Virginia. It was offered as a test question, covering the entire ground of compromise. As such the motion was voted on. The vote stood: yeas 14, nays 174.

The Kellogg Resolutions, being the next amendment, offered as a substitute for

The Kellogg Proposition Rejected.

the entire propositions submitted by Mr. Corwin, were then voted on, and were rejected by the vote of 33 yeas to 158 nays. Kellogg vainly sought to withdraw his propositions, and threatened, in event of their rejection, to renew them. Most intense excitement prevailed in the House during the contest in forcing the resolutions to a vote. The Southern members generally voted "nay," because they preferred the Crittenden proposition.

The Crittenden proposition, offered by Mr. Clemens as a substitute to the Corwin Resolutions, then came up. The substitute was rejected, by a vote of 80 yeas to 113 nays.

The Crittenden Proposition Rejected.

The question then recurred upon ordering the first series of resolutions reported from the Committee of Thirty-three, to be enrolled and read a third time. The resolutions were as follows:

The Corwin Resolutions Called.

"Resolved, By the Senate and House of Representatives of the United States of America in Congress assembled, That all attempts, on the part of the Legislatures of any of the States, to obstruct or hinder the recovery and surrender of fugitives from service or labor, are in derogation of the Constitution of the United States, inconsistent with the comity and good neighborhood that should prevail among the several States, and dangerous to the peace of the Union.

The Corwin Resolutions Called.

"Resolved, That the several States be respectfully requested to cause their statutes to be

revised, with a view to ascertain if any of them are in conflict with, or tend to embarrass or hinder the execution of, the laws of the United States, made in pursuance of the second section of the fourth article of the Constitution of the United States, for the delivery up of persons held to labor, by the laws of any State, and escaping therefrom; and the Senate and House of Representatives earnestly request that all enactments having such tendency be forthwith repealed, as required by a just sense of constitutional obligations, and by a due regard for the peace of the Republic; and the President of the United States is requested to communicate these resolutions to the Governors of the several States, with a request that they will lay the same before the Legislatures thereof respectively.

"Resolved, That we recognize Slavery as now existing in fifteen of the United States, by the usages of the laws of those States; and we recognize no authority, legally or otherwise, outside of a State where it so exists, to interfere with slaves or Slavery in such States, in disregard of the rights of their owners or the peace of society.

"Resolved, That we recognize the justice and propriety of a faithful execution of the Constitution, and laws made in pursuance thereof, on the subject of fugitive slaves, or fugitives from service or labor, and discountenance all mobs, or hindrances to the execution of such laws, and that citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.

"Resolved, That we recognize no such conflicting element in its composition, or sufficient cause from any source for a dissolution of this Government; that we are not sent here to destroy, but to sustain and harmonize the institutions of the country, and to see that equal justice is done to all parts of the same; and finally, to perpetuate its existence on terms of equality and justice to all the States.

"Resolved, That the faithful observance, on the part of all the States, of all their constitutional obligations to each other, and to the Federal Government, is essential to the peace of the country.

"Resolved, That it is the duty of the Federal Government to enforce the Federal laws, protect the Federal property, and preserve the Union of these States.

"Resolved, That each State be requested to revise its statutes, and, if necessary, so to amend the same as to secure, without legislation by Congress, to citizens of other States traveling therein, the same protection as citizens of such State enjoy; and she also protects the citizens of other States traveling or

sojourning therein, against the popular violence or illegal summary punishment without trial, in due form of law, for imputed crimes.

"Resolved, That each State be also respectfully requested to enact such laws as will prevent and punish any attempt whatever in such State to recognize or set on foot the lawless invasion of any other State or Territory.

"Resolved, That the President be requested to transmit copies of the foregoing resolutions to the Governors of the several States, with a request that they be communicated to their respective Legislatures."*

Mr. Sherman said that, as these resolutions were numerous, they would take many votes, and he moved to lay them on the table. The motion was lost by a vote of 66 ayes to 126 nays.

Quarles, of Maryland, voted against laying the resolutions on the table, as

Protests of Southern Members.

he approved of most of them; but against the third of the series he protested, as it placed Slavery in the States entirely without the pale of the Constitution.

Craige, of North Carolina, believed the whole series to be a delusion and a snare, *intended* to cheat the Border Slave States. He voted to lay them on the table.

* Two other resolutions, adopted by the Committee, appeared in the report to the press. What we give above are those printed in the *Globe*, and submitted for action. The two read as follows:

"Resolved, That, in the opinion of this Committee, the existing discontents among the Southern people, and the growing hostility among them to the Federal Government, are greatly to be regretted; and that, whether such discontents and hostility are without just cause or not, any reasonable, proper, and constitutional remedies, and additional and more specific and effectual guarantees of their peculiar rights and interests, as recognized by the Constitution, necessary to preserve the peace of the country and the perpetuity of the Union, should be promptly and cheerfully granted.

"Resolved, That, as there are no propositions from any quarter to interfere with Slavery in the District of Columbia, or in places under the exclusive jurisdiction of Congress, and situate within the limits of States that permit the holding of slaves, or to interfere with the inter-State Slave-trade, this Committee does not deem it necessary to take any action on those subjects."

Simms, of Kentucky, voted against laying them on the table, though he protested against that resolution which endorsed coercion.

Burnett, of Kentucky, could not vote for the resolutions, as they were simply declaratory, and would not satisfy his people.

The most strenuous exertions were made by Southern members to divide the series, in order to have a vote on each resolution separately, but the Chair decided that, in their nature, they were a joint resolution, and therefore indivisible; while the call for the previous question on their engrossment and their reading cut off all motions for division. After their engrossment and third reading, another effort was made to obtain their separate consideration, against which the Chair-

The Resolutions
adopted.

man (Mr. Dawes, of Massachusetts,) again decided.

Appeal was made from this decision; but this, on motion of a Republican, was laid on the table. The main question was finally ordered, when the joint resolutions ultimately passed by a vote of 136 to 53.

The Joint Resolution
to Amend the Con-
stitution.

The joint resolution to
amend the Constitution
then came up, as reported

by Mr. Corwin, from the Committee of Thirty-three. It was read a first and second time, as follows:

"Joint Resolution to Amend the Constitution of the United States:

"Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both Houses concurring,) That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as part of the said Constitution. viz.:

"ARTICLE 12. No amendment of this Constitution, having for its object any interference within the States with the relations between their citizens and those described in section second of the first article of the Constitution as 'all other persons,' shall originate with any State that does not recognize that relation within its own limits, or shall be valid without the assent of every one of the States composing the Union."

Before the previous question was called on

the engrossment and third reading, Mr. Corwin submitted the following amendment:

"Strike out the amendment proposed, and insert in lieu thereof:

"ARTICLE 12. No amendment shall be made to the Constitution which will authorize or give Congress power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State."

Mr. Hickman, of Pennsylvania, moved to lay the resolution on the table, and called for the yeas and nays on his motion. Another scene of disorder followed; but, Mr. Corwin having called the previous question, it cut off opposition. The vote on Hickman's resolution was: yeas 68—nays 121. So the House refused to lay the resolution on the table. The vote on the third reading of Corwin's amendment was: yeas 120—nays 61. After engrossment and a third reading the main question was ordered, and, on vote, was lost: yeas 123—nays 71. Two-thirds majority was necessary to pass it. A motion to reconsider followed, amid the most intense excitement, which lasted for some time, when, the motion still pending, the House adjourned.

In the course of the Sen-

ate's proceedings, Wednesday, A Kentucky Opinion.
day, Powell, of Kentucky, moved to postpone the Army bill, and take up the Crittenden resolutions. He said he did so, because a certain Convention had met in this Capital at the call of Virginia, and it was evident were not to agree on anything. He believed there were certain Republicans in the Convention who tried to prevent any agreement. He believed that certain States had sent Commissioners to the Convention to prevent anything being done, and instead of trying to save the country from ruin, were absolutely engaged in preventing the Convention doing anything. He had letters read from the *Detroit Free Press*, which had been written by the Senators from Michigan to the Governor of the State. Mr. Powell said it was evident that certain gentlemen went to the Convention, especially to prevent compromises. He thought they had better not wait for the Convention, but at once proceed to the consideration of the measures of his colleague, rather than vote money for the support of an army to be used to make war.

Chandler, (Rep.) of Michigan, said he would answer the Senator another day. The people of the country are opposed to all compromises. They were ready to stand by the Constitution as it is, and to stand by it in blood, if necessary. The motion to postpone was not agreed to.

The Peace Prop-
ositions.

The Vice-President laid before the Senate the communication of the President of the Peace Convention, when Mr. Crittenden moved that it be printed and referred to a Select Committee, with instructions to report Thursday, at one o'clock. Agreed to, with a special vote on the portion with regard to instructions, as follows:

"YEAS—Messrs. Anthony, Baker, Bayard, Bigler, Bragg, Bright, Clingman, Crittenden, Dixon, Douglas, Fitch, Foster, Gwin, Hunter, Johnson, (Tenn.), Kennedy, Lane, Latham, Mason, Nicholson, Pearce, Polk, Powell, Rice, Sebastian, Thomson—26.

"NAYS—Messrs. Bingham, Chandler, Clark, Col-
lamer, Doolittle, Durkee, Fessenden, Foot, Green, Grimes, Hale, Harlan, King, Morrill, Seward, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilson—21.

The Pro and Con
Reports.

The Select Committee recommended, Thursday, the adoption of the Peace Convention propositions. The minority, composed of Seward, of New York, and Trumbull, of Illinois, wished to submit a substitute as a minority report, but the majority held that was not competent, so Mr. Seward asked leave to submit a joint resolution, as follows, in his own name, in which the Senator from Illinois concurred:

"Whereas, The Legislatures of Kentucky, Illinois, and New Jersey have applied to Congress to call a Convention for proposing amendments to the Constitution: therefore,

"Resolved, That the other States be invited to take the subject into consideration, and express their will on the subject to Congress, in pursuance of the fifth article of the Constitution."

Mr. Hale, (Rep.) of New Hampshire, objected to the consideration of the report at that time.

Mr. Doolittle, (Rep.) of Wisconsin, said it was a mistake that Wisconsin had sent delegates to the Convention. He had a proviso which, at a proper time, he should offer to the first section of the amendment proposed by the Convention, as follows:

"Provided, That this section shall take effect on the express condition that no State, or any part thereof, heretofore admitted, or hereafter to be admitted, should have power to withdraw from the jurisdiction of the United States, and that the Constitution be the supreme law of the land, anything contained in any Constitution or ordinance of any State or Legislature to the contrary notwithstanding."

The report and amendments and joint resolution were ordered to be printed and laid over.

Mr. Trumbull made a report from the Committee to wait on the President and Vice-President to inform them of their election, and said the Committee had performed the duty. The President and Vice-President's Acceptance.

The President said: "With deep gratitude to my countrymen for their mark of confidence, and with great distrust of my ability to perform the duty even in favorable circumstances, now rendered doubly difficult by the existing national peril, but with a firm reliance on the strength of our free Government, and the ultimate loyalty of the people to the just principles on which it was founded, and above all, with an unshaken faith in the Supreme Ruler of Nations, I accept this trust; and be pleased to signify my acceptance to the respective Houses of Congress."

The Vice-President said: "Please communicate to the Houses of Congress my acceptance of the trust confided to me by a generous people; and, while the position was neither sought nor desired, I am truly grateful for the confidence reposed in me, and deeply sensible of the obligation imposed. It shall be my earnest effort to discharge the duty in a manner which will subserve to the interest of the whole country."

One o'clock having arrived, Mr. Crittenden called up the report of the Select Committee. Messrs. Hale and Fessenden argued that it was not before the Senate, as an objection, already made, would carry it over. Some warm words passed between the parties. The report was finally ordered to be considered, by a vote of 26 to 23. Objection being made by Hale to its second reading, it passed over, but not until a war of words had been expended on the matter. Mr. Crittenden

succeeded in having it made the special order for consideration on Friday.

Thursday, in the House, was a day of anxiety and excitement. The motion to reconsider the vote on the Corwin proposition to amend the Constitution was the first business in order. Kilgore, (Rep.,) of Indiana, who made the motion to reconsider, spoke at some length on the importance of the crisis. It was but a few days ago that, as Republicans, they had all emphatically declared they had no desire or disposition to interfere with Slavery in the States where it exists. Yesterday, however, they seemed to have forgotten this declaration, carried away by wild fanaticism, and also the peculiar condition of the country, requiring some action. If they had changed their ground since the occasion to which he had referred, and were now disposed to invade the sovereignty of the States, then he was no Republican. In repeated speeches he had said those who accused the Republicans of such a design uttered slander. Should they say to the world, when they are about to possess the power of the Government, that they are for using it to break down the sovereign rights of the States, and invade their privileges? If that was the doctrine, he could not subscribe to it. He should bear in mind that they were not the masters, but the mere servants of the people. The proposition to amend the Constitution should be taken to their masters, and the latter should be asked whether they will approve or reject it. For the sake of the peace and quiet of the country, and for the good of the Republican party, the Republicans should come forward to-day, and, with the same unanimity with which they voted for the resolution to which he had referred, declare the same thing in the pending proposition as an amendment to the Constitution. If you fail to give peace, you wrong yourselves, not the people, and on your heads will fall the responsibility.

He withdrew the previous question at the request of a Republican.

Mr. Stanton, (Rep.,) of Ohio, also addressed the House, saying he should not have regarded the vote of yesterday as a matter of great consequence while there were fif-

teen Slaveholding States in the Union acknowledging allegiance to the Federal Government, and having, therefore, in their own hands the power to protect themselves against any invasion of their rights on the part of the General Government. Then it would have been a matter of little consequence whether they incorporated such an amendment or not in the Constitution. But the state of the country had radically and essentially changed. Seven or eight States had, whether right or not, denied all allegiance to the General Government, had organized a separate Confederacy, and had declared their independence of all control of this Government. Whether that independence was to be maintained or not, the future only could decide. But if towards the maintenance of their position public opinion in the seceding States should sustain the action of those who had taken the lead in this matter, so as to show that nothing but a war of subjugation and conquest could bring them back, he, for one, rather than resort to such means, was disposed to recognize that independence. [Cries from Democratic side, "That's right!" "Good!"] In that state of things, if the remaining seven Slaveholding States should continue in the Union, they were entitled to additional guarantees. [Cries of "Good!" from the right of the Chair.] There are now seven Slaveholding States, and nineteen Free States. In ten years more, for all practical purposes, Delaware would be a Free State. That would leave twenty-three Free States, and only six Slaveholding States. In a few years more, they would have other Free States organized out of the Territories, and thus in a short time they would have the required number—three-fourths of the States—to enable them to change the Constitution, and to confer upon the Federal Government and upon Congress the power to interfere with Slavery.

Now, he hoped that that was a power which would never be vested in Congress. No matter if there should be but one Slave State. Slavery was a matter of domestic concern only, and Congress should never take jurisdiction of it. If they were citizens of Slaveholding States, they would be the first to

resist the interference of the
Stanton's Speech. General Government, be-
cause they, too, would see

that it was a subject which Congress could not understand, and ought to have no control over and that it was a matter which should be entirely left to the States themselves. He hoped, therefore, it was the intention of the House to afford to the Slave States which were still left to the Union that constitutional protection which the altered circumstances of the country demanded, and that they would see how incumbent it was upon them to vote to submit the question to the people, to say the least of it, that they might, if they deemed fit, recognize and adopt it.

It will not do for them to say that the Constitution which their fathers made was sufficient for the country in the present altered circumstances and condition of public affairs. At the organization of the Government there was but one Free State, and all the rest were Slaveholding States, and then everybody anticipated an increased growth and spread of Slaveholding States, and therefore it was that it was deemed unnecessary to make other guarantees beyond those which were incorporated in the Constitution. Suppose they had provided for the representation of a certain number of inhabitants in all time to come, would not an increased number of inhabitants make it necessary to change the Constitution, so as to provide for a representation on an increased ratio of inhabitants? When the Constitution was framed for this Confederacy, there was but one Free State and twelve Slaveholding States, so that then the Constitution was adequate for the protection of all sections. Now they had nineteen Free States, and only seven Slaveholding States.

He was in earnest in this business, and he was sincere when he said that he did not desire to interfere with Slavery in the States where it existed. He was sure that his colleagues were equally sincere in their asseverations in this regard. But would they guarantee that their successors in ten or twenty years hence would be imbued with like sentiments? Would they answer for the progress of public opinion in the Free States, and for the ground they might assume

in some ten years hence?

He maintained that if the remaining Slave States continue, in the Union, they had a right to demand new guarantees, and, as far as his vote was concerned, they should have it. [Applause on the floor.] He would caution his friends, they were now making a mistake. He could tell them that public opinion in the Northern States would not warrant their refusal to vote for this proposed amendment to the Constitution; and, at all events, to say the least of it, it was a most ungracious thing for them to refuse to allow a public expression of opinion on the subject. They might rest assured that in voting against this measure their position would not be sustained. All he would say was, that if this thing was now refused, he would ask of his Southern friends to forego any act of secession or rashness till the friends of the measure had an opportunity of appealing to the people of the Free States.

This somewhat remarkable and unexpected speech created a storm of applause on the floor. The uproar baffled all efforts of the officers to control it. Mr. Stanton renewed the motion for the previous question, amid a perfect delirium of applause from the Democratic side, and opposition from the Republican side. The scene which followed was thus chronicled by one of the news reporters present:

"Mr. Lovejoy, (Rep.) of Illinois, rose, but vainly strove to gain a hearing. All his efforts were lost, and had to be ultimately abandoned, in the face of a continuous call to order at the highest pitch of members' voices. The words, 'I insist—it is not fair,' only surmounted the uproar.

"Several members called Mr. Lovejoy to order.

"Mr. Lovejoy—'Mr. Speaker,' again the gentleman roared out at his loudest, in vain. Not a word he uttered could be heard.

"Democratic members—Call the Sergeant-at Arms.

"Mr. Lovejoy (in a lull)—Will the gentleman (Mr. Stanton) withdraw the previous question for a moment?

"Again rose a storm of voices, shouting, 'Order! order!'

"The Speaker—Does the gentleman withdraw the previous question?

"Mr. Stanton—I emphatically refuse.

Stanton's Speech.

A Stormy Passage

A Stormy Passage.

"This announcement changed the shouting on the floor to cheers.

"Mr. Levejoy (taking advantage of the digression) shouted out that it was unfair, as two speeches had been made on that side.

"The chorus of 'Order' was again taken up, and again Mr. Lovejoy's most stentorian efforts were as whisperings in a gale.

"The Speaker, regardless of the noise on his right, and the most wildly-uttered but unheard ejaculations of the Republicans on his left, successfully essayed to make himself heard, as with a determined effort he called to members in favor of the previous question to stand up. The sudden action of so many members in rising to their feet added greatly to the uproar that reigned in the hall, and must have excited anticipations of a general row in the minds of the spectators who crowded the galleries.

"Mr. Vandever, (Rep.) of Iowa, 'I demand to have a chance to be heard.'

"Any hope of a chance the gentleman might have been sanguine enough to entertain must have been crushed in the bud before the renewed breaking forth of the storm of cries to 'Order!' 'Sit down!' 'Call the Roll!' &c.

"The Clerk struggled against the din, and slowly got through some of the names, but was brought suddenly up by calls to 'Clear the Hall!'

"The Speaker—We must have order. [Laughter.]

"Mr. Adrain, (Rep.,) of New Jersey, hoped the Doorkeeper would see that order was carried out. [Laughter.]

"The Speaker—I have so ordered it. [Renewed laughter.]

"Mr. Clark, (Dem.,) of Missouri, hoped the Chair would put down the disorder which reigned in the hall.

"The Speaker—Nothing will be done till order is restored.

"Mr. Lovejoy—What is the question before the House? [Loud cries of 'Order! order!' 'Call the Roll!'] &c.

"The roll call was proceeded with, and the result showed a simple majority of 128 to 65 for the reconsideration of yesterday's vote.

"Mr. Hickman raised the point of order that two-thirds were necessary to reconsider, but the Speaker decided that a mere majority was necessary for this purpose.

"Another and still another outbreak of confusion.

"Members demanded the enforcement of the rules, and the Speaker called on the Sergeant-at-Arms to perform his duty."

The previous question was then called by Mr. Corwin. Being seconded, the main ques-

tion was ordered. The vote, after the floor had been cleared of members of the Peace Convention and ex-members of Congress—all present to assist at the "birth of the new reformation"—was taken by yeas and nays, and resulted: yeas 133, nays 65, which, being a majority of two-thirds, passed the joint resolution.

The wildest demonstrations of congratulation followed the announcement

How the Vote was Received.

of the vote. The news spread upon the street and flew over the wires, as the long-sought balm for the National wounds—so eager were men to be deluded. As if a mere affirmation of what the dominant party already had conceded—that there was no constitutional power to interfere with Slavery in the States—could avail to "conciliate" the Slave Confederates! It is a remarkable instance of an entire people choosing to believe against their own convictions to the contrary. A few days sufficed to show the public how little-calculated such measures were to appease those in arms against the Union.

The remaining business of the day's sitting related chiefly to a discussion of the amendments to the Civil Appropriation bill, in the course of which the Southern members did not abate one whit of their usual anxiety in behalf of appropriations for their several sections. On motion of Mr. Colfax, the Senate's amendment to the bill for withdrawing mails from the Seceded States was agreed in, and it became a Congressional enactment. Mr. Morris, (Dem.,) of Illinois, Chairman of the Committee on the Abstracted Bonds, reported a joint resolution appointing Messrs. Pugh, of Ohio, Harris, of Maryland, and Case, of Indiana, Commissioners to make a full and equitable settlement and adjustment with Wm. H. Russell and others on account of the stolen Indian Trust Bonds. Rejected—19 against 134.

Mr. Washburne, (Rep.,) of Illinois, from the Committee appointed to acquaint Messrs. Lincoln and Hamlin of their election to the Presidency and Vice-Presidency, made a report similar to that of Mr. Trumbull in the Senate.

The House, Friday, (March 1st,) considered the three Corwin Propositions—two in

Corwin's Bills.

form of acts relating to the greater efficiency of the laws for the recapture of fugitive slaves. The first—"an act for the admission of New Mexico into the United States of America"—was put upon its engrossment and third reading, when, on motion of Mr. Hickman, (Dem.,) of Pennsylvania, it was laid on the table.

The next in order was a bill for the amendment of the act for the rendition of fugitives from labor. To show the spirit of American laws and law-givers, as well as the *status* actually accorded to the principle of property in man, we give the act entire :

"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person arrested under the laws of Congress for the delivery up of fugitives from labor shall be produced before a court, judge, or commissioner, mentioned in the law approved the 18th of September, 1850, for the State or Territory wherein the arrest may be made, and upon such production of the person, together with the proofs mentioned in the sixth or the tenth section of said act, such court, judge, or commissioner shall proceed to hear and consider the same publicly, and if such court, judge, or commissioner, is of opinion that the person arrested owes labor or service to the claimant according to the laws of any other State, Territory, or the District of Columbia, and escaped therefrom, the court, judge, or commissioner shall make out, and deliver to the claimant, or his agent, a certificate stating those facts; and if the said fugitive shall, upon the decision of the court, judge, or commissioner, being made known to him, aver that he is free, and does not owe service or labor, according to the law of the State or Territory to which he is to be returned, such averment shall be entered upon the certificate, and the fugitive shall be delivered by the court, judge, or commissioner, to the marshal, to be by him taken and delivered to the Marshal of the United States for the State or District from which the fugitive is ascertained to have fled, who shall produce said fugitive before one of the judges of the Circuit Court of the United States for the last-mentioned State or District, whose duty it shall be, if said alleged fugitive shall persist in his averment, forthwith, or at the next term of the Circuit Court, to cause a jury to be impaneled, and sworn to try the issue whether such fugitive owes labor or service to the person by or on behalf of whom he is claimed, and a true verdict to give according to the evidence; on such trial the fugitive shall be entitled to the aid of counsel and to process, for procuring

Corwin's Bills

evidence at the cost of the United States; and upon such finding the judge shall render judgment, and cause said fugitive to be delivered to the claimant, or returned to the place where he was arrested, at the expense of the United States, according to the finding of the jury; and if the judge or court be not satisfied with the verdict, he may cause another jury to be impaneled forthwith, whose verdict shall be final. And it shall be the duty of said marshal, so delivering said alleged fugitive, to take from the Marshal of the State from which said fugitive is alleged to have escaped, a certificate acknowledging that said alleged fugitive had been delivered to him, giving a minute description of said alleged fugitive, which certificate shall be authenticated by the United States District Judge, or a Commissioner of a United States Court for said State from which said fugitive was alleged to have escaped, which certificate shall be filed in the office of the Clerk of the United States District Court for the State or District in which said alleged fugitive was seized, within sixty days from the date of the arrest of said fugitive; and should said marshal fail to comply with the provisions of this act, he shall be deemed guilty of a misdemeanor, and shall be punished by a fine of \$1,000 and imprisonment for six months, and until his said fine is paid.

"SEC. 2. And be it further enacted, That no citizen of any State shall be compelled to aid the marshal or owner of any fugitive in the capture or detention of such fugitive, unless when force is employed or reasonably apprehended to prevent such capture or detention to powerful to be resisted by the marshal or owner; and the fees of the commissioners appointed under the act of 18th September, 1850, shall be \$10 for every case heard and determined by such commissioner."

Hickman moved to lay this bill on the table,—disagreed to by a vote of 73 to 104. Vallandigham, (Dem.) of Ohio, asked Mr. Corwin to withdraw his demand for the previous question, to enable him to offer as an amendment the first section of Mr. Clay's proposition in 1850, to require the claimant to give bond that the alleged fugitive shall have a trial by jury in the State from which he fled. Corwin declined the demand. The bill was put on its passage, and was passed by the vote—92 to 82. A large number of Republicans voted nay.

In order still further to strip the Governors of Northern States of power to protect persons "charged with crime," in other States, the Committee of Thirty-three

Corwin's Bill.

reported an amendment to the act for the rendition of "fugitives from justice," in

the following terms:

"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person charged by indictment or other satisfactory evidence, in any State, with treason, felony, or other crime, committed within the jurisdiction of such State, who shall flee or shall have fled from justice, and be found in another State, shall, on the demand of the Executive authority of the State from which he fled, upon the District Judge of the United States of the district in which he may be found, be arrested and brought before such Judge, who, on being satisfied that he is the person charged, and that he was within the jurisdiction of such State at the time such crime was committed, of which such charge shall be *prima facie* evidence, shall deliver him up to be removed to the State having jurisdiction of the crime; and if any question of law shall arise during such examination, it may be taken on exceptions by writ of error to the Circuit Court."

As persons charged with treason, felony, &c., were already liable to requisition, the bill was particularly designed, in the use of its phrase "other crimes," to cover cases of persons charged in Slave States, with such "crimes," as any slave community saw proper to urge against any man or woman. To sell a copy of "Uncle Tom" was a "crime." To circulate the New York *Tribune* was a "crime." A schoolmistress who had taught a slave to read had committed a "crime." Under this law, *all* these offenders could be dragged from their refuge to be given over to the tender mercies of a Southern court and jury. The mere charge of crime was *prima facie* evidence of crime! It was voted down by 47 yeas to 126 nays.

This was the last bill on the programme of that compromise scheme of the

Committee of Thirty-three. Our readers will require no aid of unusual intelligence to see that Maine and Texas were not wider apart than those clamoring for compromise and those asked to concede it. Even the tender-footed and gingerly-worded bills, which sprung from the ashes of the Crisis Committee were so repulsive to the Northern sense, that two were ignominiously rejected,

and the other accepted, because it rubbed down some of the harsh and arbitrary features of the Fugitive Slave law. The proposed amendment to the Constitution amounted to nothing, practically. So, over the entire labors of that important committee was inscribed:

"The mountain labored and brought forth a mouse."

After this disposition of the Corwin propositions, The "Peace" Propositions. the Speaker asked leave to

present the Peace Convention proceedings and propositions. Objections were immediately made by several Republicans. Thaddeus Stevens, of Pennsylvania, did not even want to hear John Tyler's communication read. McClernand, (Dem.,) of Illinois, moved to suspend the rules. Grow, (Rep.,) of Pennsylvania, called for the regular order of business, which was a special order on the Territorial bill. Boteler, (Am.,) of Virginia, asked if there was anything so important that it should take the place of the Peace Conference propositions. Lovejoy, of Illinois, answered: "Yes, sir, there are ten thousand things which should take precedence." Before any action could be taken, the House adjourned, to reassemble at an evening session.

At the evening session a long wrangle followed over McClernand's motion to suspend the rules in order to get the Peace Convention propositions before the House. The vote finally being ordered, on the motion the House refused to suspend, by 93 yeas to 67 nays—not two-thirds in the affirmative, as required.

During the call of the yeas and nays the members pretty freely expressed their sentiments, in regard to the measures proposed by the "Conference." Thus:

Craige, of North Carolina, was "utterly opposed Southern Protests. to any such wishy-washy settlement of our National difficulties."

Leake, of Virginia, "regarded this *thing* as a miserable abortion."

Hindman, of Arkansas, "desired to defeat the propositions of the Peace Conference, believing them to be unworthy of the votes of Southern men."

The Mountain and the Mouse.

Southern Protests. Garnett, of Virginia, "intending and desiring to express his abhorrence of these insidious propositions, conceived in fraud and born in cowardice, by giving a direct vote against them," would vote to receive them.

When the result was announced, on Mr. McClernand's motion, to suspend the rules, he said: "This vote divides the Republican party, and sounds its death knell."

The evening session was frittered away in struggles over minor matters. Stanton tried to call up his Volunteer bill, but failed.

In the Senate, Friday, the Peace Convention propositions came up, when Mr. Seward offered his amendment as a substitute. [See page 464.] Mr. Hunter, of Virginia, offered the first article of the Crittenden resolutions in the place of the first proposition of the Convention. Clingman, of North Carolina, protested against any amendments. Seward claimed that Hunter's proposition would change the entire character of the Peace Propositions. Hunter, in defence, said he considered the plan proposed by the Convention as worse for the South than any that has yet been offered. He argued that the words "status of persons held to labor not to be changed," would prevent any change in the position of slaves, even preventing emancipation, and was substituting *law Latin* for the plain and manly English of the Crittenden resolutions. He contended, also, that it provided for the settlement by judges appointed by a party which entertains an opinion that there could not be property in man. The South would thus lose the advantage of the Dred Scott decision. He read a portion of the Chicago Platform in regard to the free Territories, and said the South was asked to submit its question of rights to judges from a party holding such opinion. He contended that under these propositions the South could never acquire more Territory, and their adoption would only be an inducement to disunion; it would almost force the Border States to go into the Southern Confederacy, where they could acquire territory. He said the provision—that Congress shall provide for the security of citizens of each State to the privileges and immunities of all,—contained

Southern Protests. the seeds of civil war, and might impose a dangerous class of citizens on the South, such as Abolition lecturers, &c., and thought it best to leave the question to the honor of the State. The present Constitution had been expounded and was well understood, but these propositions are full of doubts and difficulties. He said he had been informed that the Peace Congress never took a vote on the propositions as a whole.

Doolittle, (Rep.) of Wisconsin, had heard the same thing.

Hunter said he knew a majority of his own State voted against it, and said that he understood the States of Virginia, Kentucky, and Tennessee, North Carolina and California had said they would settle on the Crittenden plan. Why not, then, adopt that plan? It was all that was required for peace.

Mr. Crittenden said the representatives of some twenty States had presented these propositions, and asked Congress to present them to the people, and thought that was the only question now to be considered. If the Legislatures of these States had presented the same propositions, it would not have been proper to amend them. The question was, Would we comply with the Peace Convention or not? He was ready to sacrifice his own views; he wanted to save the country, [applause in the galleries,] and was willing to accept anything that would do it. He would vote against his own propositions, and in favor of those emanating from that highly respectable body, in hopes of a pacific settlement. He contended that these propositions gave the South the best possible security for their rights—was enough for the dreadful occasion; it was that dreadful danger which he wished to get rid of, and would trust to posterity and Providence to avoid future troubles.

Mr. Mason said it was a great duty that devolved on the Senate in proposing amendments to the Constitution. For one, he could not agree to any amendments, unless they had the sanction of conscience and judgment. He referred to the troubles arising out of the last election, and to the committees which were formed in both Houses of Congress on the subject, which could not agree. He

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referred, also, to the Convention called by his own honored State, but he could not recommend the plan of that Convention at all. Virginia knew that her rights could be secured by the States. But, if that Convention proposed a plan which not only does not secure the rights of the South, but takes away what little it has, he would be a traitor if he did not denounce it. He then proceeded to argue against the proposition of the Convention, claiming that the first section cut the South from all rights in the northern portion of the Territory, and left them to law-suit in the other portion. It left them rights under the common law, but the judicial expounders of the common law in the Free States denied any right of property in man.

Mr. Crittenden replied to Mr. Mason, contending that the propositions of the Convention were for the security of the rights of the South.

The discussion was continued by Messrs. Bragg, (Dem.,) of North Carolina, Mason, Crittenden, Polk, (Dem.,) of Missouri, and Pugh, (Dem.,) of Ohio.

Mr. Baker, (Rep.,) of Oregon, said he intended to vote for the propositions as they were, and submit them to the people at large. The country was in great peril, and he was told that these measures, if passed, would harmonize the differences; therefore, he thought he would do right in submitting the question to the people. Why not submit the propositions for approval or rejection? He would not shut his eyes to the fact that twenty States appealed to us, and that States had seceded. Suppose the arguments of the Senators from Virginia are true, is that any reason why we should not submit the propositions to the people? If the people reject them, it is their business, not ours; and if the people accept them, then they are measures of peace and union. The Senator from Virginia objected to the propositions; that was one reason why he (Baker) agreed to them; and if Virginia, as represented here, agreed, he should immediately begin to doubt. If these propositions will satisfy the Border States, he would go for them heart and soul. But he was not voting to-day; he

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wassimply submitting them to the people. There was danger abroad, and he knew he did no harm in giving the question to the people. If the people did not like it, let them reject it. If events change so much, he was willing to violate the Chicago Platform. It was not the Constitution of the United States. He was willing to give up a great deal to preserve the Government to friends in Kentucky and Tennessee, but not anything to secession in South Carolina and Louisiana; yet, he thought he did not give up much. He believed Slavery was wrong, and he believed under these propositions the foul blot of Slavery would not be extended over any Territory. He thought others also gave up a great deal, and he was willing to meet them half-way. He hoped to hear words of peace and kindness from Mr. Lincoln, and expected to hear in response a hymn of peace, hope, and trust. He trusted a great deal to time and patience; therefore, he thought the best thing he could do was to vote for the resolutions.

Mr. Green, (Dem.,) of Missouri, said he regarded this the most prominent question ever brought before the Senate. He was willing to make himself a burnt-offering on the altar of sacrifice, but he would not take one of the propositions of the Peace Conference, which involved a desertion of safety and honor. The people could not stand by them, and he would not vote for them. He was not willing to leave any question to doubt; we must have it plain and unequivocal, and sustained by the hearts of the people, or else we will not be associated with such people. We must either make a permanent Union or a permanent separation. These propositions of the Peace Convention are the merest twaddle, but the Crittenden resolutions have some sense in them. We must have the right of property settled beyond a doubt everywhere. Who made freedom national and slavery local? When the Government found every State had slaves, slaveholders had the right of transit through Pennsylvania. But no Senator can come through a free State with his servant now, and is compelled, when he goes home, to avoid what is called "free soil." If this

Southern Protests.

thing is not corrected, then we must divide. He said he never expected to open his mouth in the Senate again, except to vote; and he must say his hopes of the Union were all gone. He believed that the die was cast, and there was such hostile feeling that we could not live together. He had waited in vain for a reaction of feeling at the North, (he wanted none at the South,) but none came, and he believed we must divide. He was not a Secessionist, but was driven to separation. These seeming peace propositions were only intended to lull old Virginia and other States; but if they are wise, they will strike the blow in time, and go to the Confederacy where they can have their rights. Is it possible that any Senator will undertake to support these wishy-washy, twaddle resolutions? He never would vote for them, and he would stake his reputation, whatever the consequences, on his vote.

A motion was made by Wade, of Ohio, to adjourn, and renewed by Trumbull, of Illinois, who saw no good in debating propositions intended for the Border States, when they will have none of them. Lane, (Dem.,) of Oregon, addressed the Senate on the Crittenden resolutions, which he advocated, while he regarded the resolutions of the Peace Convention as a cheat and a humbug.

In the House, Saturday, Mr. Bingham moved to take up his bill for collecting customs on ship-board in event of any resistance to the execution of the revenue laws, and moved a suspension of the rules to override objections, but failed to get it before the House. Mr. Dawes, from the Select Committee of Five, called up the report on the Navy, and moved the previous question on the resolution of censure, [see page 444.]

Branch, (Dem.,) of North Carolina, as a member of the Committee, declared the facts would not sustain the resolution.

Sickles, (Dem.,) of New York, said the resolution was a disgrace to those who would vote for it.

Florence, (Dem.,) of Pennsylvania, considered the resolution as stabbing a man in the dark.

Winslow, (Dem.,) of North Carolina, said there was no evidence to justify the censure.

The resolution was, however, adopted, by a vote of 95 to 62.

The special order in the Senate, Saturday, (March 2d,) was the Peace Convention proposition, when Lane, (Dem.,) of Oregon, proceeded to "ventilate" the speech of Andrew Johnson, [see pages 349-50.] He argued the right of secession, and declared that Virginia would follow the other Southern States if she was not pacified. He characterized in severe terms Mr. Johnson's declarations regarding the right of coercing a State. He assumed that the Republican party was the evil genius of the hour—it would neither let the Southern States into the Territories—it would not let them go out, nor let them stay in the Union. His speech, able in many respects, occupied three hours in its delivery, and was a mingled mass of argument, invective, and personality—being particularly severe on Mr. Johnson, of Tennessee, who rose to reply, and, as one of the correspondents present observed, "literally flayed him (Lane) alive." He reiterated his former positions regarding treason. Treason was plainly defined as making war

Lane on Johnson.

Johnson on Lane.

against the Government. Show him those who fired on the United States flag, who seized forts, arsenals, and custom-houses and he would show you traitors. If he were President of the United States, he would have all such arrested and tried; and, if convicted, would have them hung. He declared against all flags but the Stars and Stripes for the country, and assumed that it was its destiny to wave over the entire land, in spite of secession.

The applause which followed this truly splendid outburst of element patriotism was very loud in the galleries, upon which the Chair ordered the galleries to be cleared. This order was met in an extraordinary manner. The entire crowd rose and gave vent to one tumultuous shout; when, three cheers for the Union being proposed, they were given in a voice which fairly stunned the astonished Senators. The crowd were then ready to leave, and the doors were locked upon the excited mass.

In order to get before the Senate the Cor

win amendment to the Constitution, Bigler, (Dem.,) of Pennsylvania, moved to suspend the rule which prevented bills or resolutions from being read and passed the same day, so far as related to propositions to amend the Constitution. This resolution was passed,

The Corwin Amendments in the Senate.

by a vote of 20 to 16, and, after much badgering, chiefly between Messrs.

Mason and Douglas, the Senate voted to take up the House joint resolution to amend the Constitution of the United States. The Senator from Ohio moved to amend the resolution by striking out the words "authorize or"—which he conceived to be bad grammar and worse English. After some discussion of this point, the amendment was carried by the casting vote of the Chair, much to the regret of Messrs. Douglas, Crittenden, and others, who said any amendment would necessitate a delay, which would kill it. A reconsideration was, however, had, when, after much further precious time spent on the trivial matter, the amendment was disagreed to. Pugh then moved to amend the entire resolution by substituting the Crittenden resolutions.

Minnesota's Sentiment.

Wilkinson, (Rep.,) of Minnesota, addressed the Senate at some length. He

said he opposed both amendments and the original resolution. He reflected with some severity upon the course pursued by the opposition, to humiliate the Republicans and the Northern Free State sentiment, by forcing them into compromise. The closing portion of his remarks were as follows:

"The young State which I have the honor in part to represent here will remain in this Union, under the old Constitution, just as it was, performing every duty which that Constitution imposes upon her, and ready at all times to perform every obligation and yield to any reasonable demand which that Constitution can require, or that anybody can require under that sacred instrument. But when her people are required to surrender their principles and denounce their political opinions, they will never submit to any such humiliation—never. I have no right to speak for anybody but myself and the State I represent, and I do not attempt to. Yet for that State and myself I say here, no matter what the consequences may be to her and myself, we have taken no step from which we intend to recede.

Standing upon the Constitution and upon the laws as they are, Wilkinson's Speech. the people of my State are not willing that wrong shall be done to any man or any section, but she demands that justice shall be done to all. Believing they are right, the people of the North-west will adhere to their conviction, faithfully performing every obligation they are under to every portion of this Confederacy. No one has a right to ask more than this, and no one has a right to ask us to give bonds for our good behavior. We are ready to perform every constitutional obligation and comply with every law and every duty imposed upon us, but we scorn the man or the party, or the power, that asks us to give bonds for our good behavior. We have a right in the Government; and when we elect a President, under the Constitution and the laws, we claim that, without let or hindrance, and without giving bonds, he shall be President of the United States. Elect your man, and we will bow down before him, and yield all the Constitution gives—and you have no right to demand more than this of us. I know nothing about these Personal Liberty bills, of which you complain. But if you have any grievances against my State, present them, and, brave men as they are, like honorable men as they are, they will, without any apologies, perform their constitutional obligations. But, sir, when you ask us, before we enter into our house at the other end of this avenue, and which belongs to us under the Constitution, that we shall give bonds for our good behavior, we spurn it, as proud people anywhere would spurn any such miserable compromises. The people of the North-west will never consent to the idea that the Southern Confederacy shall take possession of the mouth of the Mississippi River. Yet the madmen of the State which bears the name of that noble river have planted batteries upon its banks, and attempt to exercise a control over the navigation of that great highway of nations. This of itself is an act of war. It is war, and I need not say that millions in the mighty North-west stand ready to-day to maintain the free navigation of that river, if, to secure it, they shall be obliged to desolate its banks from the mouth of the Ohio to the Balize; and they will do it. I am well aware there are brave hearts in these States, who are putting forth all their efforts to save this Union from destruction, and to avert the horrors of civil war; and I am prepared to join with those friends of our common country to avert from us the fearful calamity; and to accomplish this, I would do much that, under other circumstances, I might not do. I sincerely hope and pray we may recover from this revolution without bringing war, with all its attendant horrors, upon us; but if war must come, I have an abiding

faith that the flag of our Union, the old flag, the flag of the Revolution, will, in the future as it did in the past, wave in glory and triumph over the vanguard of a victorious American army.

Random Debate. Doolittle, (Rep.,) of Wisconsin, offered, as an amendment to Mr. Pugh's amendment, his own resolution, [see page 464.]

Douglas said he hoped to be allowed to take a vote. They were spending the night in talking, and preventing action on valuable bills. It was now 10½ o'clock.

Chandler referred to the remarks of the Senator from Kentucky, (Powell,) and asked if a compromise was made, would he go for the enforcement of the laws in all the States.

Powell said that he would enforce the laws in all the States of the Union, but he was opposed to all coercion in any of the States. He thought civil war would destroy all hopes of peace.

Chandler replied, denouncing all compromise with traitors. The question was, whether we have a Government or not? If we have no Government here, he (Chandler) would emigrate to some other place where they had a Government, even to the Camanches. He contended that the Union sentiment would eventually triumph in the South, and overthrow the very men who now howl against Union. The South will gain no benefit from disunion; it will only bring a Canada to their own borders. He deprecated civil war, but anarchy was still worse. He was willing to yield anything to true Union men, but nothing to traitors.

Wigfall replied. He said it was strange that men say they mean nothing personal, and yet make wholesale charges of theft against a party. Unfortunately, the North did not always send men here who were either gentlemen or Christians. When he (Wigfall) called a man a scoundrel, he meant what he said, and held himself responsible for it. He hoped the Senator (Chandler) would not turn himself over to the Camanches. They suffered a great deal already by contact with the whites. [Laughter.] He (Wigfall) declared that the navigation of the Mississippi would never be impeded by the Seceded States.

Rice, (Dem.,) of Minnesota, said the people of the North-west knew their own rights too well to suppose that the navigation of the great river will ever be impeded by anything except ice.

Wigfall.—And low water. [Laughter.] If the Senator will put that in, I will accept of his amendment. He predicted that Mr. Lincoln would leave the Chicago Platform, and go for peace; receive the Commissioners from the Confederate States, and, instead of making war, would withdraw the forces from the forts. He did not think there would be war now.

Rice was sorry the discussion had taken this form. He did not believe the people of the North-west would vote one dollar for coercion.

Wigfall continued, saying he believed that nothing short of the acknowledgment of the right of secession would satisfy the South. As to the propositions of the Peace Conference, if no other reason existed, if they were adopted, all the States which were not gone would immediately go out.

Crittenden said he would like to submit a few remarks, but, as it was so late, he doubted if it was best to go on.

This random discussion, fruitless as it was, consumed the time to midnight, when, on motion of Hunter, of Virginia, the Senate adjourned to Sunday evening at 7 o'clock.

Sunday evening the crowd for admittance was immense. Vast numbers failed to gain even standing room. Mr. Crittenden proceeded to address the Senate, but the noise in the galleries was so great as to render his speech inaudible. Douglas and others called the crowd a mob, and demanded that it be driven from the chamber. Order being somewhat restored, Mr. Crittenden proceeded. A report, in brief, of his speech, was as follows:

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Last Appeal.

"He said the country was in danger, and measures had been proposed to save it; but we sit here and have done nothing, presenting the spectacle to the country that we are incompetent to devise measures for the public safety, and acknowledging to the world that we can do nothing. He paid a high compliment to the Senator from Pennsylvania for his untiring zeal for the cause of the Union.

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He said one of the great questions of the difficulty was the Territorial question, and referred to the resolutions of Mr. Clay, which, he said, were intended to take the question out of Congress. The question now is, that the South, having seen itself excluded from the Territory, they think they have as much right as other sections in the Territory of the United States. But you deny it them. Their blood and their money helped to acquire it. The question has reached a point where it is of vital interest. The question is not of party, but of the union of the country. He referred to New Mexico as a barren country, which he thought could not become a Slave State. We are not here to talk on the disadvantages of Slavery, but as to constitutional rights, and the South think they have as much right to carry it in emigration as you have to any of your systems of labor. Is that so great a cause of complaint as to bring upon the country all the great evils of disunion? If we cannot agree, let us divide the Territory—you go on one side and we go on the other. We talk about our fathers, and what did they do? He then referred to the compromise of 1820, as an example. He said all that belonged to the South now was one poor Territory, and all they asked was to let the South remain as it is. You are coming into power, and we ask you to give us some security that you will not abuse your power in that Territory. He believed that all that is necessary to settle the great mischief that is going on is to agree that in this sterile Territory the state of things shall remain as it is. Till when? Forever, gentlemen, say—but till this Territory shall have one hundred thousand inhabitants, when it will be admitted as a State, and then they will dispose of the question as they please. This is all that is asked. He said all, because in respect to fugitives there is no difficulty. That is settled by the Constitution. In regard to the District of Columbia, he argued, as it was ceded by Maryland, it would be an act of bad faith to abolish Slavery without the consent of Maryland. He asked if it was not worth something, even if we could not bring back States, to preserve those which have not gone; or is an idea and dogma not in the Constitution, but which has its origin in the peculiar idea of the people of a certain section, to be an inseparable barrier to measures of policy necessary to save the country? Propositions were offered by him as a Senator of the United States, and not as a compromise from the North to the South, but measures which he offered as a Senator, were for the equality of all. He would not offer a proposition unfair to either section. He trusted in God; neither his feeling nor principle would allow him to attack or permit any-

thing unfair to one section or the other. Yet, Senators say, let us have no compromise; let us have blood first. But the Bible says, 'First be reconciled to thy brother before thou layest thy gift on the altar.' Yet gentlemen would not give a straw for reconciliation; but our business is to preserve the Union. If not, what would be the consequences? Who knows? He did not. He would advise that, if injustice were done now, the Union was worth bearing much for. Party passion and excitement would not last always, and if one Congress do wrong another may do right. But this cry of no compromise was like the old cry of the Romans, *res victis*—woe to the conquered, and now translated No Compromise. He claimed that the Constitution intended to leave the people of the States free to act as they pleased in regard to their domestic institutions, and contended that the numerous petitions received from all parts of the country were an evidence that the heart of the people was right, and in favor of peace and reconciliation with their brethren, and that they were not willing to have their children go to war for a trifle and a dogma. We are one people of the same blood, and one family, and must compromise family troubles. He was for Union, and not for secession, and would say to Kentucky, stand by the Union, till necessity forces you out, with constancy and fidelity. This was the best Government in the world, notwithstanding the bad administration sometimes, and he would have Kentucky stand by the Union, if rebellion swept over the whole land, like the last soldier of a brave band, till everything was gone, and then consider what next should be done. This was his principle and his advice. He was about to part from his friends here, and had spoken in truth and soberness what he believed. He had hoped something would have been done to pacify the country, and this resolution from the House, though not sufficient, would still be a ray of sunshine. He expressed great confidence in the integrity of the people, and appealed to the Senate to have a vote, that something, at least, may be done which would be a step towards peace and harmony—something to save the Union. He begged those who declared they would not amend the Constitution to reconsider, and think how the condition of the country would be changed."

Trumbull, (Rep.), of Illinois, followed with a speech which, if it was not defiant, was so firm in its declarations as to create much sensation during its delivery. He said it was not the way to obtain compromises by talking of dogmas and usurpa-

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rations.

tion. He was tired of hearing talk of usurpation and injustice in the Territories. Why not make the appeal to the men with arms in their hands against the Government. Then he referred to the trouble in the Territories and the first attempt to break up the Union in 1832; then in 1850 another attempt was made to break up the Union, but after a while peace was secured. Then in 1853 a proposition was made in the Senate which reopened the agitation. But secession would not have triumphed if there had not been complicity with treason in the very Cabinet of the Government. The President received Commissioners, who, under any other Government, would have been hung for treason; and, not until the last moment, when forced to take sides, and either join the Secessionists and let Major Anderson perish, or to meet the anger of his countrymen, did the President declare for the Union and speak, though feebly, for the United States. But he had allowed the Secessionists to do as they pleased, till they had taken the forts and property of the Government to a great amount.

Wigfall interrupted, wishing to be informed if Mr. Lincoln's Administration would pursue the same policy, or whether it would attempt to recapture the forts and property? Trumbull replied that the Texas Senator would find out his opinion before he got through with his speech, and he (Trumbull) trusted that Wigfall would learn the opinions of the new Administration on the morrow from the eastern steps of the Capitol. He added: "I apprehend the Senator will learn to-morrow that we have a Government, and that it is the beginning of maintaining the Union." Mr. Trumbull continued, after the several interruptions, referring to the action of the Secretaries of War and Navy, sending away the Army and Navy till they had no defences left. Secession would never have reached such a height if we had a Government. He spoke against the compromises which had been offered. He was willing to take the Missouri Compromise, but these were nothing like that. He contended that the effect of these compromises would be to declare Slavery perpetual in New Mex-

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rations.

ico. If they want to do anything, go back to the Missouri Compromise and stand to that, which will restore peace to the country. In regard to the House resolutions, he said that all agreed that Congress had not the right to interfere with Slavery in the States. He would not interfere, but he would never, by his vote, make one slave; and the people of the great North-west would never consent by their act to establish Slavery anywhere. He was willing, though he did not think the Constitution needed amendments, to vote for recommending to the States a proposition for calling a Convention to consider amendments. But our Southern friends ask for something to stand on. The best rock in the world to stand on is the old Constitution as framed by our fathers, and not suffer it to be trampled and amended. States have been arming themselves, and tell us they will fight against the Government if we attempt to enforce the laws, which they call "coercion." He could tell the Senator from Texas that he was for enforcing the laws. By this he did not mean marching an army to coerce a State, but that he wanted to settle the question if we have a Government. He referred to the fact that Virginia sent an ultimatum, and then armed herself for the purpose of armed intervention between the Government and the States in rebellion, and argued that under such circumstances Senators ought not to present propositions here for our acceptance. He contended that the attitude of Virginia was an act of menace.

This speech, coming from a Senator intimate in his relations with the President, was supposed to indicate the new Administration's policy, and therefore attracted much consideration on the floor. It is doubtful, however, if he spoke for Mr. Lincoln by authority. The President was notably silent on questions of his future conduct, and was wise in his silence. If Mr. Seward spoke for him, in proposing, as a substitute for the Peace Conference scheme, the calling of a National Convention, he may have acted on the suggestion of the Executive, though it is not probable that he ever committed himself thus far; and Mr. Trumbull, if

he did indicate the course afterwards pursued, did so by no special authorization of the President-elect. His views, and those expressed by Mr. Wade, were simply the Republican ultimate of the discussions of the winter.

The debate here took a more general turn, from the speaker having referred to Mr. Baker's willingness to compromise. It called up that Senator and Mr. Trumbull alternately. Mr. Baker's closing reply was a most able and earnest appeal for an acceptance of any reasonable terms of settlement, and particularly of the Corwin proposition to amend the Constitution.

After some further remarks by various parties, a vote was had on the Doolittle amendments to Pugh's amendment, viz.:—to substitute the Crittenden propositions for the Corwin amendment. Lost by

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18 to 28. The question then recurred on the substitute, when a running debate occurred between Messrs. Bigler, Clingman, Douglas, Mason, Pugh, Morrill, Wade, Wigfall, Wilson, Doolittle, Johnson, of Arkansas, and others. It was peculiarly sharp and personal—assuming more of the character of charge and counter charge than of a Senatorial discussion. A vote being had, at length, the proposed substitute was rejected—only three voting in the affirmative. Mr. Bingham then proposed as an amendment to the amendment, Mr. Clark's resolution, viz.:—that the Constitution is good enough—only wants to be obeyed, &c. Lost—13 to 25. The Minority Report proposition of Messrs. Seward and Trumbull was then voted on as an amendment. Lost—14 to 25.

The main question, viz., the adoption of the joint (House) resolution to amend the Constitution, then came up, and received 24 yeas to 12 nays. This vote the Speaker announced, when Mr. Trumbull, of Illinois, interrupted, before the Speaker should declare the result, to interpose the constitutional objection, that two-thirds of a quorum was not two-thirds of the members of the Senate, and, therefore, that the constitutional amendment was rejected. A discussion followed, and, as Mr. Trumbull wished the question tested, as a precedent, he appealed from the

decision of the Chair, that two-thirds of a quorum complied with the constitutional requisition. The Senate sustained the Chair, by a vote of 33 to 1—that single "nay" being Wade, of Ohio.

This vote secured the final passage, by both Houses, of the Corwin Joint Resolution, proposing to the Legislatures of the several States an amendment to the Constitution.

Mr. Mason then called up the Crittenden Resolutions, The Crittenden Plan
Rejected. in order to get a direct vote on them. Mr. Clark's Resolutions, it will be remembered, had been offered as a substitute, [see page 184,] when Mr. Bigler offered his propositions as a substitute to the substitute. This was the condition of the question at the moment Mr. Mason called up the matter. Mr. Bigler now withdrew his substitute. The vote on Clark's Resolutions was 14 yeas to 22 nays. Other amendments were then called up and disposed of, when, the main question being ordered on the joint (Crittenden) resolutions, they were rejected: yeas 19, nays 20. The roll-call was:

"YEAS.—Messrs. Bayard, Bigler, Bright, Crittenden, Douglas, Gwin, Hunter, Johnson, (Tennessee,) Kennedy, Lane, Latham, Mason, Nicholson, Polk, Pugh, Rice, Sebastian, Thomson, and Wigfall—19.

"NAYS.—Messrs. Anthony, Bingham, Chandler, Clark, Dixon, Doolittle, Durkee, Fessenden, Foote, Foster, Grimes, Harlan, King, Morrill, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, and Wilson—20.

An attempt to go into Executive session failed, and the Senate, after its night session of twelve hours, took (at 7 A. M.) a recess until 10 A. M.

Monday in the House

was, as usual with the last The Closing Scene. hours of a session, very

noisy, exciting, and uninteresting, except to those immediately concerned. At the hour of twelve the Speaker, William Pennington, of New Jersey, delivered his farewell address, giving utterance to his sympathy and hopes for the Union. He cordially approved the report of the Committee of Thirty-three; while his conviction was unchanged, that a National Convention, for the redress of actual or supposed grievances, was the proper and most available remedy. He said: "As a member of the Union, I declare my conviction that no tenable ground has been assigned for a dis-

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solution of the ties which bind every American citizen to his country; and impartial history will so decide. My confidence in the American people is such that I believe no just complaint can long exist without a redress at their hands. There is always a remedy in the Union. With this view, I still declare my willingness to join in measures of compromise. I would do so because of the ancient ties that have bound us together, under institutions framed by our fathers, and under a Constitution signed by the immortal Washington. I would do so for the national honor committed to the experiment of free institutions. I would do so for the love I bear my countrymen in all parts of our beloved land, and especially so for the sake of the noble band of patriots in the Border States, who, in the midst of great opposition, have stood as firm as rocks in the wild ocean, for the peace and perpetuity of the Union." The close of his address was a benediction on the country and on the members of the House, with whom he had been so long and so agreeably associated. He concluded by announcing that the House of Representatives of the Thirty-sixth Congress was adjourned *sine die*.

The Senate proceedings of Monday morning were interesting and brief. At the hour of noon the Vice-President called the Senate to order and addressed them:

"SENATORS—In taking final leave of this position, I shall ask a few moments in which to tender to you my grateful acknowledgments for the resolution declaring your approval of the manner in which I have discharged my duties, and to express my deep sense of the uniform courtesy which, as the presiding officer, I have received from the members of this body. If I have committed errors your generous forbearance refused to rebuke them, and during the whole period of my service I have never appealed in vain to your justice or charity.

"The memory of these acts will ever be cherished among the most grateful recollections of my life; and for my successor I can express no better wish than that he may enjoy the relations of mutual confidence which so happily have marked our intercourse. Now, gentlemen of the Senate, and officers of the Senate, from whom I have received so many kind offices, accept my gratitude and cordial wishes for your prosperity and welfare."

Mr. Hamlin then stepped forward and said:

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"SENATORS—The experience of several years in this body has taught me something of the duties of the presiding officer, and with a stern, inflexible purpose to discharge these duties faithfully, relying upon the courtesy and cooperation of Senators, and invoking the aid of Divine Providence, I am now ready to take the oath required by the Constitution, and to enter upon the discharge of the official duties assigned me by the confidence of a generous people."

Mr. Hamlin then took the oath, as follows:

"I, Hannibal Hamlin, do solemnly swear to support the Constitution of the United States."

Mr. Breckenridge said: "Having now arrived at the termination of this Congress, I now declare the Senate adjourned without day."

Mr. Hamlin took the chair, and the proclamation for an extra session was read.

Thus closed the second session of the XXXVIth Congress of the United States. That it was one of the most anxious ever held, history will not fail to affirm. The fate of a nation hung upon its words—the happiness, prosperity, and destiny of a people depended upon its enactments. That it spoke and legislated wisely is a question for the future to determine.

In reviewing its proceedings, we are first impressed with the radical nature of the differences both of opinion and polity which prevailed, to a great degree, among members. They were not differences of kind, but of absolute antagonisms—such as never could and never will exist in harmony. One party claimed, on principles of right, a positive recognition of Slavery, by the Constitution and by the acknowledgments of the Free States; another party pronounced that assumed right to be unfounded in law, in equity, or in humanity, and therefore not to be conceded under any pretext. A conservative few stood between these antagonisms, holding to the hands of each, in the endeavor to lock them in the fraternal embrace. But, though their mediation was passively accepted, hearts and opinions were unchanged—so deep-rooted and ineradicable were their differences; and the country looked upon the votes given for "compromise" as the merest

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form, in which personal regard played a more conspicuous part than any desire, on the side of Northern men, for concession to Southern demands, even in a moderate degree.

The new Administration came into power totally uncommitted. It had offered no compromise—made no threat. The pledges of leading men it was not bound to redeem, while, in his choice of a Cabinet, the President had indicated no definitive policy.

With a country to save, the first Republican Administration sailed out upon a sea of troubles dark and stormy enough to dismay the most intrepid soul. Will the Ship of State be able to weather the storm? was the anxious thought of every citizen who had intelligence enough to comprehend the appalling disaster which stared the country in the face—the wreck of the American Republic—the explosion of the great Republican experiment!

The Closing Scene.

CHAPTER XXXVIII.

IMPORTANT REPORTS OF THE SELECT (HOUSE) COMMITTEE OF FIVE. REPORT ON THE PRESIDENT'S CORRESPONDENCE WITH THE SOUTH CAROLINA COMMISSIONERS. THE MINORITY REPORT, (DISSENTING.) REPORT ON THE SECESSION REVOLUTION, AND THE DUTY OF THE GOVERNMENT.

THE Special Committee of Five on the President's Message of February 8th—consisting of Messrs. Howard, (Rep.) of Michigan, Dawes, (Rep.) of Massachusetts, Reynolds, (Rep.) of New York, Cochrane, (Dem.) of New York, and Branch, (Dem.) of North Carolina—reported, from time to time, on the subjects committed to their discretionary investigation. Their report on the condition of the Navy has been given [see p. 440, *et sequitur*.] February 27th, the Committee submitted a majority report, covering the entire question of the President's correspondence with the South Carolina Commissioners, and the complicity with treason chargeable to certain members of the Cabinet. The report is an important document, giving the version to acts of an Executive character which was sustained by a vast majority of the people, as well as by the force of facts, whose authenticity will bear but one statement. The Minority Report, made by Mr. Cochrane—having also the concurrence of Mr. Branch—defended the Executive from censure, and pronounced his course one of wisdom and

caution, which the future would approve. We give place to these documents—forming, as they do, historical *ranges*, by which to direct the student of events into correct and acknowledged channels.

“Accompanying the message of the President referred to this Committee, is a copy of certain correspondence had between the President and Messrs. R. W. Barnwell, J. H. Adams, and J. L. Orr, claiming to be Commissioners on the part of South Carolina, authorized and empowered to treat with the Government of the United States for the delivery of the forts, magazines, light-houses, and other real estate, with their appurtenances, within the limits of South Carolina, and also for the apportionment of the public debt, and a division of all other property held by the Government of the United States as agent of the Confederate States, of which South Carolina was recently a member; and generally to negotiate as to all other measures and arrangements proper to be made and adopted in the existing relations of the parties, and for the continuance of peace and amity between the Commonwealth (of South Carolina) and the Government at Washington.

“A further message of the President, under date of February 8th, 1861, and referred to the Committee,

communicates a copy of certain correspondence, growing out of another special mission from the State of South Carolina to the President of the United States, having for its object a demand upon the Government of the United States for the delivery of Fort Sumter, in the harbor of Charleston, to the constituted authorities of the State of South Carolina.

"The correspondence above referred to is submitted by the President without comment, or any suggestion as to the propriety or necessity of any action by Congress in respect to it, or to the various subjects to which it refers. If important to be submitted to Congress at all, it seems certainly to be of a character demanding grave consideration; and the fact that it has been placed before us by the President implies that, in his opinion, at least, it involved considerations which might properly engage the attention of the legislative branch of the Government, in connection with the various other matters forced upon it by the necessities of the times. The Committee has, therefore, thought it expedient and proper to direct attention to these special embassies, their object, the action of the President thereon, and, incidentally, to the character of the correspondence.

"The first communication to the President, by Messrs. Barnwell, Adams, and Orr, under date of December 28th, 1860, communicates an official copy of an Ordinance of Secession, adopted by the State of South Carolina, on the 20th of the same month, by virtue of which that State assumes to have withdrawn from the Federal Union, and taken the position of an entirely independent nation. That such an attitude was assumed by South Carolina, in attempting negotiations with the Government of the United States, is not only obvious from the history of current events, but it was most distinctly asserted by her 'Commissioners,' in their communication to the President. The movement of Major Anderson from Fort Moultrie to Fort Sumter, after their arrival in Washington, seems to have been regarded as an obstacle, on their part, to the opening of any discussion touching the object of their mission, until the circumstances attending that movement should be explained in a manner which would relieve them of all doubt as to the spirit in which the contemplated negotiations should be conducted. They, however, urge upon the President the immediate withdrawal of the troops of the United States from the harbor of Charleston, upon the allegation that they are a standing menace, which rendered negotiations impossible, and which, as they express it, 'threaten speedily to bring to a bloody issue questions which ought to be settled with temperance and judgment.' This communication was received by the President, and

made the subject of a formal and elaborate reply. Considering the position assumed by the President in his Annual Message, in respect to the right of a State to withdraw from the Union, and the total absence of power on the part of the Executive to recognize the validity of any such attempt, the Committee cannot but regard the mission itself, as well as the manner in which it has been treated by the President, as among the most remarkable events of the extraordinary times in which we live. In his Annual Message, communicated to Congress at the beginning of the present session, the position is most distinctly affirmed by the President, that no State has the constitutional right to withdraw from the Union, and that there is no power in the Executive Department of the Government, to give the slightest countenance or encouragement to any such attempt. In this opinion we fully concur, and believing it to be the true theory of the Constitution, we have been unable to perceive upon what principle the President, representing the dignity of the Government of the United States, has assumed to entertain or hold any official communication of the character disclosed with the representatives of the State of South Carolina. For it seems to us obvious enough, that upon the principles enunciated in the Annual Message, the gentlemen composing this Commission, acting under the sanction of a disloyal State, could be regarded in no other light than as engaged in a revolutionary effort to subvert the Government of the United States; and, being so regarded, it would appear to have been the plain duty of the Executive to enforce the laws against any individuals, however eminent and respectable, known or suspected of complicity in any movement of a treasonable character. We are not able to imagine any circumstances under which the President of the United States would be justified in entertaining diplomatic intercourse with the State of South Carolina, in her present attitude to the General Government, except upon the assumption that by the action of her authorities she had succeeded in acquiring the position of an independent power, owing no duty whatever to the Government of the United States.

"As before stated, it is claimed by her, and in her behalf, that she now occupies such a position, and her agents are sent hither upon that assumption, charged with most extraordinary and insolent demands upon the President. The reception, by the President, of such a communication under such circumstances, and awarding the dignity of an official reply, involves, to some extent, the recognition of the assumed position of the rebellious State, and impliedly admits that the individuals engaged in the

revolutionary movements against the Federal Government have acquired a political position which entitles them to some other consideration than is most commonly due to those who invite a collision with established authority. It is this attitude of the President that the Committee particularly desire to express dissent from, and to affirm most emphatically the doctrine that so long as the Federal Government exists, its Constitution and laws operate with full vigor upon the people of every State, and that no action of State authority of less degree than successful revolution can justify any department of the Government in treating any persons engaged in the effort to throw off all Federal obligations other than rebels and traitors, and entitled to be dealt with as such.

"Even if, from any considerations growing out of the structure of our Government, or the dangerous tendency of the secession movement in several States of the Union, the anxiety to prevent the shedding of blood, and of avoiding the evils of civil war, great forbearance in the actual enforcement of the laws against political offenders may be pardoned, and perhaps justified, we are not prepared to give our assent to any action of the Executive Department, which, in express terms, or by necessary implication, may seem to place the responsible actors and abettors of secession in any State of the Union in any other aspect than that of traitors to the Constitution of the United States. It is believed that the assertion and maintenance of this position is essential to the existence of the Federal Government, and without which it neither can have nor deserve obedience at home or respect abroad. It may, perhaps, for a time, be tolerated that offenders against the laws may be permitted to go 'unwhipt of justice.' The forcible seizure of public property by rebellious citizens may temporarily be allowed to pass unpunished, for reasons which may appear satisfactory to those charged with executive duty; but this condition of things cannot be of long continuance. Either the Government must vindicate its power, or it will itself become powerless. If any portion of the people of the Republic may at their pleasure repudiate all Federal authority, defy and disorganize the Government, seize its property, and insult its flag, without incurring the hazard of punishment for treason, either by civil or military authority, we may well admit that there is no Government of the United States worthy of preservation. And if, after the people of the State, without adequate cause, have announced their purpose of repudiating all allegiance to the Federal Union, they are without question to be entertained by the Government of the United States, in diplomatic inter-

course in respect to the abandonment of its own forts, arsenals, and other public buildings upon threats of forcible expulsion, if the demands upon it are not at once acceded to, we may well pause and consider to what depths of degradation and humiliation the American Government is approaching, if the lowest depth has not already been reached.

"The Committee do not propose to discuss here whether it is wise or politic at the present time to employ the whole power of the Government under all circumstances and at all hazards to punish offenders against its laws. In times of extensive civil commotion and discontent, prudence may dictate great caution and forbearance in the exercise of acknowledged powers; and when whole communities assume the attitude of revolution against established Government, for real or imaginary wrongs, it may be wise to listen to their complaints with attention, and not, by any unnecessary rigor against palpable violations of law, provoke passions already unduly and unreasonably excited. But when growing discontent assumes the position of actual hostility; when, instead of seeking redress under existing forms, resort is had to force, and the purpose is boldly avowed by overturning the Government to which their allegiance is due, we cannot see the wisdom of a policy which permits treason to perform its work without hindrance or molestation—above all we cannot sanction a policy in the Executive Department of this Government which professes a purpose of executing its laws and protecting its property from unlawful violence, and yet remains inactive when revolution is actually impending, and entertains friendly intercourse with embassies instigated by and growing out of the highest type of treason to the Federal Constitution.

"The President acknowledges the obligation of his oath to protect and defend the Constitution and enforce the laws made in obedience to its requirements, denies the right of secession, and yet in the correspondence before us we have the evidence that with full knowledge that the authority of the Government has been set at defiance, its dignity insulted, and its flag dishonored, he yet negotiates with treason and commits the Government to a partial recognition of the revolutionary movement for its destruction. If for any considerations of policy he may be justified in suspending the exercise of its powers, we know of no reason that can justify a course of action which ignores the theory upon which the whole foundation of the Government rests. If the fact that the Government has the power to protect itself from domestic violence may not prudently be acted upon under any apprehen-

The Majority Report. sion that any exercise of authority may irritate and exasperate those already in open rebellion, it would be some consolation to such of the citizens of the United States as are still loyal to the Constitution to feel assured that the desire to shield traitors from the consequences of their acts may not result in the utter demoralization of all Federal authority and dignity.

"If we recur to the contents of the correspondence to which we have referred, there is but little to commend it to favorable consideration. The communication by the 'Commissioners' of South Carolina to the President conveys, in the most unqualified terms, an imputation of bad faith upon the President, and of necessity upon the Government of the United States, on account of the occupation of Fort Sumter by Major Anderson and his command. It is clearly intimated that some agreement previously made by the President respecting the occupation of the forts in the harbor of Charleston had been violated. From this charge the President has undertaken to defend himself, and to furnish excuses for the action of the Government in respect to the occupation of its own fortresses and the disposition of its own troops. The fact that the State of South Carolina intended to rebel against the Government of the United States was well understood long before her ordinance of secession was actually adopted. The probable consequences of such action, it was also well known, would be an attempt, on the part of the State, to take possession of all the forts, arsenals, magazines, and other public property within her limits. Under such circumstances, nothing would seem to be clearer than the duty of the President to provide in due time an adequate force for the protection of all the public property in danger of assault. Instead, however, of taking such a course, the President seems to have been in communication with those engaged in rebellion, and a sort of understanding appears to have been had early in December, that no action should be taken by the Government of the United States to reinforce the command charged with the defence of the forts in the harbor of Charleston.

"On the 9th of December, 1860, the Representatives in Congress from the State of South Carolina furnished the President with a written statement under their signatures, expressing their strong conviction that the forts in the harbor of Charleston would not be attacked or molested previously to the action of the Convention of that State, then about to assemble, and they hoped and believed not until an offer had been made, through an accredited representative, to negotiate for an amicable arrangement of all matters between the State and the Federal

Government—'*provided*, that no reinforcements shall be sent to these forts, and their relative military status shall remain as at present.'

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"At the time this paper was presented the President objected to the word '*provided*,' as it might, as he expressed it, be construed into an agreement on his part which he 'never would make.' It was, he thinks, obvious there could be no such agreement made, and he says it was regarded in effect as the promise of highly honorable gentlemen to exert their influence for the purpose expressed. The purpose of the President was well known not to reinforce the forts in Charleston harbor until they had been actually attacked, or until he had certain evidence that they were about to be attacked; and we are informed by his communication before us, that in respect to these forts he acted in the same manner that he would have done if he had entered into a formal agreement with parties capable of contracting. It does not, therefore, appear to be material whether, in a strict technical sense, there was or was not an agreement to the effect indicated in the paper lodged with him by the Representatives in Congress from the State of South Carolina. It is perfectly clear that at that time it was regarded as certain South Carolina would attempt to secede from the Union, and intended to obtain possession of these forts, either by force or negotiation. With a knowledge of these purposes, the President determined to send the officer in command no reinforcements, and he has acted in this respect in the same manner as he would have done if he had made a formal agreement to that effect.

"In this disclosure the Committee is not able to resist the inference that, in the beginning of the revolutionary movement against the Government of the United States, there were relations of an extremely friendly character between those who contemplated rebellion, and those whose duty it was to suppress it. We cannot but regard it as a most extraordinary fact that parties notoriously contemplating the disruption of the Government, should beforehand stipulate with its executive authority in respect to the most convenient and least dangerous mode for making the rebellion successful. While the President has avowed his determination to execute the laws, he does not seem to have regarded treason to the Constitution of the United States contemplated and existing as among the crimes condemned by the laws of the land and deserving punishment.

"That crime, the highest known to the laws of the world, appears in our history to have assumed a milder form, to be treated with marked tenderness by the authorities of the Government against which

the crime is perpetrated. We do not think the history of any Government furnishes in this respect any parallel to the policy of our own, and we cannot believe that any Government, however powerful, can long survive the inauguration of, and persistence in, such a policy. We, therefore, regard it our duty to condemn, in the most emphatic terms, the course pursued by the President in recognizing or substantially holding diplomatic communication with the rebellious authorities of the State of South Carolina. The dignity of the Government required at least that the President should at once, and with firmness, decline all negotiations with a State in the attitude of rebellion, if the obligations of his oath did not require him to hand over such of the rebels as came within his power to the civil authorities of the United States, to be dealt with according to the forms of law.

"Even while these negotiations were going on, the President received information that the authorities of the State of South Carolina had seized, by force, Castle Pinckney, Fort Moultrie, the United States Arsenal, and the Custom-house and Post-office, in the City of Charleston. Although the correspondence before us does not disclose the facts, the history of the times furnishes us with the results of this 'peace policy.' In several other States of the Union the authority of the Government of the United States has been defied and insulted, its flag dishonored, and its property unlawfully seized. No effort has been made to defend or recover it, and now a Revolutionary Government, embracing six of the States of the Union, (in all of which acts of violence against the property of the United States have been committed,) is set up in defiance of, and in hostility to, the Government of the United States.

"The Revolutionary Government must either be recognized or repudiated. Its independence must be acknowledged, or the persons engaged in the effort to establish it must be treated as rebels and traitors to the Constitution of the United States. To acknowledge the right of secession, or recognize the revolutionary acts growing out of it, is a surrender of the authority, power, and dignity of the Government of the United States, and a substantial agreement to its destruction. We cannot believe that the American people will consent to the dissolution of the Federal Union without an effort to save it, even if that effort involves a resort to all the powers which the Government is able to command. That it can be preserved by peaceful negotiations and compromise does not seem probable; for in certain quarters all propositions of that character are most distinctly repudiated. The demand is made that the Government of the United States shall surrender its

authority, or maintain it by force of arms. We can imagine but one answer that ought to be given to such a demand, and the longer it is delayed the more disastrous may be the consequences to those who resist, as well as those who desire to maintain the integrity and the authority of the most beneficent Government established since the foundation of the world.

"The correspondence growing out of the mission of Colonel Hayne, 'Special Envoy,' from the State of South Carolina, communicated with the Message of the 8th of February, 1861, is also before us. The object of the mission, as already stated, was to demand of the President the unconditional surrender of Fort Sumter to the authorities of the State of South Carolina, accompanied with a threat that if the demand was refused it would be taken by force of arms. The views we express as to the duty of the President in relation to the first mission applies with equal, if not greater, force to that represented by Colonel Hayne, as Special Envoy. If it were possible, the character of the second mission is even more insulting and offensive to the Government of the United States than the first. In both instances the President refused to accede to the demands made upon him, but, in our judgment, this fact does not remove the objections urged against the propriety of receiving or entertaining communications with any 'Commissioners' or 'Envoys' from States in the condition of actual rebellion against the Government, who come not to obtain pardon for their offences, but with demands which cannot, without disgrace and humiliation, be for one moment entertained.

"Whatever consequences may follow the effort to maintain the dignity and integrity of the Government of the United States, it seems impossible to contemplate the possibility of its peaceful destruction. So long as it has the power of self-preservation, there appears to be no alternative between its exercise, at whatever hazard, and a cowardly surrender, without a blow struck, upon the demand of rebels and traitors.

"Your Committee insist upon maintaining the dignity and exercising the powers of the Government against any who deliberately set about its destruction, or invite collision with its power or its laws.

"In conclusion, the Committee recommend the adoption of the following resolution:

"Resolved, That in the opinion of this House the President had no constitutional power to negotiate with the representatives of the State of South Carolina for the surrender of any public property within the limits of that State, and that it is inexpedient for Congress to take any further action in relation thereto."

The Minority Report, made by John Cochrane, took the ground that, by reference to the public messages of the President, so far from his having admitted the Commissioners from any Seceded State to diplomatic intercourse, he explicitly refused to do so, and rigidly guarded against their assumption. He never received them otherwise than as distinguished citizens, and the only reason of the question being presented to Congress, as appears from the report, was this refusal of the President, and the reference of the whole question to that body. The correspondence shows that the Commissioners stated, in reference to this attitude of the President, that "they felt no special solicitude as to the character in which the President might recognize them."

The report said that, in the whole course of the published correspondence, it will be impossible to detect the most trifling deviation from the evident annunciation by the President in his Message to Congress, at its opening, of his intention to defend the Union with the whole power of the Government, and to conserve its rights with all constitutional vigor. The ardent aspirations of an uncalculating zeal have denounced as timidity these dictates of sobriety. Repulsive impetuosity has derided them, and the ungenerous impulses of political hostility have visited upon them the invectives of acrimonious controversy. But, the sober sense of the public will inevitably prevail over these factitious stimulants of faction and discord, and ultimately will be recognized and acknowledged the prescience which palliates the shock of disunion by the preservation of peace, which preserves from desolation by barricading the paths of blood, and woos the occasion for conciliation, compromise, and adjustment, by the counsels of moderation and peace.

The Committee, February 28th, submitted its report, covering the resolution, its causes, its claims, and the course to be pursued in dealing with it. It was a paper showing much ability in its production, although it but iterated what had become familiar to every intelligent mind. As a *resumé* of the entire question of secession, it will be referred to by the political inquirer and student of

government with interest. We give it almost entire:

* * "It now remains to consider briefly the remaining subjects intrusted to your Committee. The Committee have been in session nearly every day since they were appointed. Among the great variety of subjects before them, they have diligently considered a large number of petitions and memorials on the subject of conciliation and compromise; and while they earnestly desire that peace and harmony may be restored to our distracted country on the basis of justice and equality to all sections, with a full recognition of all constitutional rights and obligations, yet, in view of the fact that there are so many and so well-considered propositions already before the House, they have deemed it inexpedient to make any recommendations on the subject, and they report back all papers relating to the same.

"Under the instructions of the House, the Committee were to make inquiry and report as to the seizure of certain forts and arsenals, revenue-cutters, and other property of the United States.

"The rapid development of acts of lawless violence in a portion of the Confederacy—the notoriety and undisputed character of the facts—have perhaps rendered exact and official inquiry less important than could have been anticipated. All the Committee deemed necessary has been obtained in the forms of communications from the Executive Departments of the Government, and are herewith communicated, on these subjects. But in proportion as the necessity of proof of their existence has diminished, the consideration of their magnitude and importance has been rendered difficult and more imperative. The state of things, whether we call it secession, rebellion, or revolution, considered in its magnitude and character, presents a question unsurpassed in importance by any ever presented to this or any other Government. It becomes a question of existence to the Government, and involves not only the happiness of the 31,000,000 of our present population, but of more than ten times that number of their unborn descendants, and the hopes of the friends of free government throughout the world.

"It is time for the American Congress to consider what the civilization of the world, the hopes of mankind, and the spirit of our fathers hovering over us, expect us to do. One of the most remarkable things ever developed in the history of our country is the steadiness, uniformity, and power of the ratio of the increase of our population. For seventy years it has scarcely changed, and is as strong today, on a basis of 30,000,000, as it was when we had but 5,000,000 of inhabitants. It doubles our popu-

lation once in twenty-five years.

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for twice seventy years more, the year A. D. 2,000 would find within our present bounds 1,600,000,000 of people. The question as to what shall be the condition of this vast multitude, and whether the spirit of anarchy, lawlessness, and violence, on the one hand, or of oppression and tyranny on the other, shall prevent, under the inevitable laws of population, their existence at all, and turn this heritage into a barren waste, may well lead us to pause and consider, and, when we have discovered our duty, apply ourselves to its discharge with increasing fidelity and with unflinching firmness. Hitherto our progress is without a parallel. And whatever may be the fate of the Republic, if it shall crumble into dust by the folly and madness of the hour, not only unchecked, but permitted and even aided by the rashness on the one hand, or imbecility on the other, of those who exercise brief authority in its different departments, the memorials of its greatness and beneficence, its glory and renown, of the hopes and fears that have hitherto clustered around it, and the disinterested patriotism and sterling virtues are at least secure. So much is safe. When genial influence will ever continue to be felt, and bless our race, time shall end. What, then, is secession? This question forces itself upon our attention at every step. Either in its legal or constitutional aspect, or in its revolutionary character, or in the fearful consequences of its unchecked progress, it meets us at every step, it shapes all policy, it imposes new and imperative duties; and since it threatens the existence of the Government itself, its treatment should command the wisdom and patriotism of the nation.

"Self-preservation is the first law of a nation. The power to defend its implements of self-preservation is one of the clearest of all its powers. We cannot conceive of a nation without the power to build and defend forts, and all implements of war within its own jurisdiction. And yet secession claims to have seized, within sixty days, fourteen forts, costing \$5,580,858, and mounting 1,124 guns. These forts are not only held against the United States, but two others are closely besieged, and assault is every day threatened. The arsenals, the arms, the revenue-cutters, the custom-houses, the post-offices, the mints, the money, and even the hospitals of the United States are seized and held with impunity. The operations of commerce are impeded. Seven States claim to have released themselves from all constitutional obligations, to have disrupted the Government, and formed a new and independent Confederacy in the bounds of the United States—all in the name of secession; and yet we

are told secession is not only a peaceful, but a constitutional remedy. As if the Constitution had provided for its own destruction by an inconsiderable fraction of the power that made it.

"To show the utter baselessness of this claim as a constitutional remedy, it is only necessary to consider that the ordinance of secession in any one of the States can by no possibility rise higher as a sovereign act of the State than a State Constitution adopted by an organic Convention. If we concede all possible regularity and formality in the Convention, and the fullest sanction of the State to the ordinance of secession, it is still no higher than the organic law of the State—just high enough, in fact, to be subordinate to the Constitution of the United States. Article 6, sec. I, of the Constitution declares:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution [Ordinance of Secession] or laws of any State to the contrary notwithstanding."

"The Committee content themselves with this simple statement, to show the unconstitutionality of the whole proceedings.

"It is also clear that the claim is destructive of the first principles of government in any form. For the rightful powers of government are made up of such individual natural rights as have been surrendered by individuals, for the purpose of obtaining from the governments thus erected security and protection for their remaining rights. The powers of a State in the Union are derived from the individuals of the State. Hence the maxim of our fathers: 'All governments derive their just powers from the consent of the governed.'

"Whether we consider the Government of the United States as a compact between the States, or as a Union of the whole people, secession is equally illegal and absurd, and equally destructive of the first principles of all government. If our Government be only a compact between the States, the States in forming the compact, exercised only such power as they had derived from the people; and if a State may resume the power, that is, secede, it follows irresistibly that each individual of the State may resume his sovereignty even while marching to the gallows, and all laws be practically nullified, and government rendered impossible. Secession, if admitted, would not only destroy the noble fabric of our fathers, but plunge the world into barbarism and anarchy, by rendering all government impossible.

"The Committee, therefore, adopt the language of President Buchanan, in his last Annual Message,

that 'Secession is revolution; it may be justifiable revolution, but it is nevertheless revolution.' In the language of President Jackson, 'It is incompatible with the existence of the Union, contradicted by the letter of the Constitution, unauthorized by the spirit, inconsistent with every principle on which it was founded, and destructive of the great objects for which it was formed.'

"Since Secession is thus hostile to the existence of the Government, and self-preservation is the highest duty of every Government, it follows, in the present emergency, that

"The duties of the Government become the measure of its powers; and whenever it fails to exercise the power necessary and proper to the discharge of the duty prescribed by the Constitution, it violates the public trust not less than it would in transcending its proper limits. To refrain, therefore, from the high and solemn duties, [imposed by the present condition of the country,] however painful the performance may be, and thereby tacitly permit the rightful authority of the Government to be contemned, and its laws obstructed by a single State, would neither comport with its own safety, nor the rights of the great body of the American people.'

"But when the Secessionists are driven to admit that it has no legal basis, the ever-ready reply is, that we have no power to coerce a State. This only creates a false issue, and diverts attention from the true one. This was so clearly stated in a recent debate by a distinguished Senator, that the Committee adopt his language as their own. His statement may be deemed the more important from his supposed connection with the incoming Administration.

"The President says that no State has a right to secede, but we have no constitutional power to make war against a State. The dilemma results from an assumption that those who, in such a case, act against the Federal Government, act lawfully as a State, although manifestly they have perverted the power of the State to an unconstitutional purpose. A class of politicians in New England set up this theory, and attempted to practice upon it in our war with Great Britain. Mr. Jefferson did not hesitate to say that States must be kept within their constitutional sphere by impulsion, if they could not be held there by attraction. Secession was then held to be inadmissible in the face of a public enemy. But if it is untenable in one case, it is necessarily so in all others. I fully admit the originality, the sovereignty, and the independence of the several States within their sphere. But I hold the Federal Government to be equally original, sovereign, and independent within its sphere. And the Government of the State can no more absolve the people residing within its limits from allegiance to the Union, than the Government of the Union can absolve them from allegiance to the State. The Constitution of the United States, and the laws made in pursuance thereof, are the supreme law of the land, paramount to all legislation of the States, whether made under the Constitution, or by even their organic conventions. The Union can be dissolved, not by secession, with or without armed force, but only by the voluntary consent of the people of the United States, collected in such

manner prescribed by the Constitution of the United States.'

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"But, however baseless secession may be in a legal or constitutional aspect—however destructive of the great principles upon which all government rests—it is, nevertheless, an existing fact as a revolutionary movement of vast proportions, involving the interests of our own people, the existence of the Government, and the hopes of mankind. It is multiplying its acts of hostility daily; it is enlarging its claims of sovereignty; it has declared seven of the States independent nations; it has organized six of them into a separate Confederacy within our own bounds, and, by claiming exclusive jurisdiction, it denies the authority and contemns the laws and treaties of the United States.

"What, then, is the duty of the Government in the existing emergency? To what extent does it possess the powers to meet it? These questions force themselves upon our attention at every step. Perhaps the first duty is to ascertain the causes of the disaffection and revolutionary movement, so that if it be possible the causes of discontent may be removed, and the integrity of the Union and the peace of the country restored. These States claim that their rights have been infringed, and their peace and equality threatened—not because of anything that the Government has done, or proposed to do—for it has been substantially under their control—but because of certain legislation upon the statute-books of other States, and a spirit of hostility towards the institutions of the South alleged to exist in the Northern States.

"It is conceded that the right of revolution is a sacred right of the people. But in our system of government it is not a right that pertains to a State. The powers of the State government are clear and distinct from those of the General Government, each designed to move in its own sphere; and it is impossible to suppose that one has the right of revolution against the other. It might as well be alleged that the State of South Carolina had the right of revolution against the Government of Great Britain as against the Government of the United States, acting within its prescribed limits. But if, for the sake of the argument, the right of revolution, as pertaining to a State, is conceded to any one of the thirty-four States, this necessarily implies the right on the part of the thirty-three remaining States to canvass the propriety of its exercise, and to resist it by their combined power, inasmuch as it involves interests common to all."

"In this view, it is a right dependent upon the power to enforce it. Such a right, though it may be admitted to pre-exist, and cannot be wholly surrendered, is necessarily subjected to limitations in all

The Majority Report. free governments, and in compacts of all kinds freely and voluntarily entered into, and in which the interests and welfare of the individual become identified with those of the community of which he is a member. In compacts between individuals, however deeply they may affect their relations, those principles are acknowledged to create a sacred obligation. And in compacts of civil governments, involving the liberty and happiness of millions of mankind, the obligation cannot be less.

"If these States had no real grievance, they could have no right of revolution. If causes of grievance exist, they must necessarily exhaust all peaceful and constitutional remedies before they could ask the adhering States to allow the exercise of a revolutionary right on their part.

"What are the alleged causes of grievance? Mainly the legislation of other States, and the alleged hostility of their people against the institutions of a portion of the States. While the legislation of some of the States, called 'Personal Liberty bills,' has been treated as a serious grievance, it is a singular fact that no effort has been made to bring any one of those laws to the judicial test provided by the Constitution; nor, so far as your Committee are aware, has any one case ever arisen in which the enforcement of their rights has been obstructed by any of these laws. How, then, do they furnish cause of revolution?

"Nor are your Committee able to persuade themselves that the hostility to the institutions of the South, on the part of the people of the North, is greater now than it was twenty-five years ago, or that they demand any legislation on the part of Congress in regard to Slavery that was not common to, and the recognized policy of, each of the first twelve Administrations under the Constitution. But even if we concede all that is claimed, still the fact forces itself upon our attention, that no attempt has been made on the part of the disaffected States, or those who sympathize with them, to change the Constitution, or to meet the people of the adhering States in a National Convention to secure a peaceful separation.

"So far from all possible means of redress short of revolution having been resorted to and exhausted, not one of the steps that must necessarily precede the rightful exercise of revolution has been taken. While conservative and loyal citizens have earnestly sought conciliation and compromise, the Secessionists have been loudest in their denunciations of all attempts at reconciliation. They declare the Government is dissolved, and scout the efforts of their sympathizers and natural allies for reconstruction.

"One of the great sources of trouble would seem to be the proper disposition of the Territories of the United States. And yet all the Territories which they claim for the use and occupation of their system of labor are already under organic laws, adopted as compromises, but ten years since, and mainly at their own dictation.

"The true explanation of all this difficulty was disclosed in the debates in the South Carolina Convention, immediately after the adoption of the Ordinance of Secession on the 20th of December, 1860. One member arose in his place and declared: 'We have this day consummated the work of forty years.' To which another member responded: 'We have pulled down the temple of one Government, and we must now construct another.' Our Government has existed in its present form for seventy-two years. And if treason has been festering for more than forty years of that time, it will hardly do to attribute the present difficulties to the state of public sentiment in the other portion of the Confederacy. While it is true that many patriotic and loyal citizens in those States have been excited to madness and phrensy, and have voted for secession under a total misapprehension produced by the grossest misrepresentations, your Committee are forced to believe that hostility to this Government has long existed, and has become wide-spread throughout those States. Perhaps one-third of those who voted for secession did so under the belief that it was the intention of the incoming Administration to seek to overthrow Slavery within the bounds of the States by the power of the General Government as it is, or to force such amendments of the Constitution as would accomplish it.

"It is nevertheless true, that not one intelligent man who voted for Mr. Lincoln can be found who ever dreamed or desired such a thing, or would tolerate it, if possible. Indeed, the freedom of the Free States rests upon the exercise of the sovereignty of their States; the slavery of the Slave States rests equally upon the exercise of the sovereignty of their States. To permit the abolition of Slavery in any one of the Slave States by the power of the General Government, would be to admit its right to establish it in all the Free States. Against this the whole body of the Northern people are unalterably opposed; and so far from seeking the exercise of any such power in the Slave States, it would meet from them the sternest resistance.

"The execution of the Fugitive Slave law has been a source of contention. But the President informs us in his Message that the law has been executed in every case during his administration. At all events, if the amendment should be adopted

which has been reported by the The Majority Report. Committee of Thirty-three, and which is now before the House, the law would be rendered more effective to secure the rights of the South, while it would be far less odious to the people of the North. Be this as it may, it has been demonstrated that the percentage of loss on runaway slaves is less than that on horses or any other property. Viewed with reference to the aggregate value of that species of property, the loss is indeed very small.

"Some difficulty in regard to the rendition of fugitives from justice, growing out of local statutes, has arisen. But it would seem to be of easy adjustment, and it is almost the only remaining grievance. When we consider that no effort has been made to secure a peaceful separation of the States under this Government, by the assent of the people in their sovereign capacity, but instead there have been acts of revolution, hostility to the Government, the seizure of its forts, the robbery of its treasure, the exclusion of its jurisdiction, and preparation for war, we are forced to the conclusion that the difficulties growing out of the existence of Slavery, however viewed by the common people, are, so far as the leaders of this revolutionary movement are concerned, but a mere pretence; their real object being to overthrow the Government, that a separate Northern Confederacy of a military character might arise upon theirs.

"What, then, is the duty of the Government under these circumstances? As the Constitution is the paramount law of the land, so it must be the sole guide of every department of the Government in meeting the present emergency. Studiously avoiding the exercise of all new or doubtful powers in legislation, all approaches to forced judicial constructions or of Executive usurpation, the Government must proceed to discharge its constitutional obligations with moderation, with prudence, with wisdom, but with unswerving steadiness and firmness. To this course every officer of the Government is impelled, by the sanction of his oath, by the sacred memories of our fathers, by the past glories of the model Republic of all past time, by the hopes and interests of the teeming millions of our present population, and of all that are to come after us.

"The great feature of our system is, that the people make the laws, and that they obey the laws which they themselves have made. Hence, 'the Government will appeal to that political sense which exhorts obedience to the laws of the country as the highest duty of the citizen. It will appeal to the moral power in the community. If that appeal be in vain, it will appeal to the judiciary. If the mild arm of the judiciary be not sufficient to execute the

laws, it will call out the civil force to sustain the laws. If that be insufficient, God save the Union! If the evil then comes, the responsibility will not be upon the Government.

"The Executive must take care that the laws be faithfully executed.' The Congress must 'provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion;' 'to make all laws which shall be necessary and proper for carrying into execution all the powers vested by the Constitution in the Government of the United States, or in any department or office thereof.' The Constitution makes no provision for releasing any of its officers or agents from the obligation of the oath it requires them to take. However painful the duty thereby imposed upon them may be, it cannot be omitted without involving the destruction of the Government and incurring the guilt of perjury.

"Nor can there be any heed given to any one of the false or deceitful issues attempted to be raised, such as coercing a State—making war upon a State. All these pleas are fallacious, deceitful, and false, if not traitorous. The Government will act only in the strict line of duty in the discharge of its constitutional functions and obligations, and whatever force it may attempt or use will be strictly on the defensive. Woe to those individuals, or combinations of individuals, who shall persistently violate their Constitutional obligations, and expect protection from a State where no State can rightfully act in the premises!

"The sovereign people of this country have seen fit to embrace all the powers of government into two organic forms—a National Union for national purposes, with limited and well-defined powers and duties, and State Governments for local purposes. In theory, at least, they cannot conflict with each other, for the reason that the powers of the Federal Government are clearly defined by a written Constitution, which is made supreme in its own sphere, the highest manifestation of State sovereignty to the contrary notwithstanding. So long as the General Government confines itself to its constitutional functions, it is *absurd*, if not *treasonable*, to characterize the execution of its laws as the coercion of a State. Nay, more: if any State, forgetful of its just rights and duties, go outside of its own proper sphere to obstruct the due execution of the laws of the Union, by that very act it attempts to coerce the General Government from the exercise of its constitutional powers in the discharge of duties rendered imperative by the Constitution. Should collision ensue, the Government will be acting clearly on the defensive.

"It will neither coerce a State, nor make war upon it. The Majority Report.

But, if it fail to execute its own laws to the extent of the power conferred, it will be recreant to the highest trust ever conferred by any people, disappoint the hopes of a world, and destroy its own existence. The course of the Government cannot be doubtful, nor the result uncertain. Should the claims of the Secessionists be admitted, and the *deceitful dogmas* of coercion obtain the endorsement of the people, the revolutionists and their apologists and allies would, in the language of the Constitution's greatest defender, prove themselves 'the most skillful architects of ruin, the most effectual extinguishers of high-raised expectation, the greatest blasters of human hopes, which any age has produced. They would stand up to proclaim, in tones which would pierce the ears of half the human race, that the last great experiment of representative government had failed.'

"Millions of eyes, of those who now feed their inherent love of Liberty on the success of the American example, would turn away from beholding our dismemberment, and find no place on earth whereon to rest their gratified sight. Amid the incantations

and orgies of secession, disunion, and revolution, would be celebrated the funeral rites of constitutional and republican Liberty. The Majority Report.

"But no such *mad schemes* can receive the endorsement of the great body of the American people. We are not Mexicans. We are unaccustomed to violent disruptions and peaceful reconstruction of our Government. The Anglo-Saxon race do not throw away the greatest of all possible benefits in a mere fit of phrensy. If it required forty years to make the people of the first of the Seceding States fully disloyal to the Union, one hundred will not suffice for the great body of the American people to forget their Revolutionary sires, the rich inheritance bequeathed by them, the glorious flag of the Union, or even the slumbering dust of their Washington. The people will sustain their own Government, and hold it to the strict line of its constitutional duty.

"Even holding the olive-branch of peace and conciliation before the emblems of its power, it will meet its stern responsibilities with firm purpose and steady hand—it will rise above all difficulties, and fulfill earth's highest mission."

CHAPTER XXXIX.

CONDITION OF AFFAIRS DURING THE LAST WEEK OF MR. BUCHANAN'S TERM. MR. LINCOLN'S CABINET. THE VIRGINIA CONVENTION. JOHN TYLER WITH HIS MASK OFF. THE MISSOURI STATE CONVENTION. MR. BUCHANAN'S MESSAGE. PREPARATIONS FOR THE INAUGURATION. HOSTILE ATTITUDE OF THE CONFEDERATE GOVERNMENT.

A Week of Excitement.

THE week preceding March 4th was one of extreme solicitude and interest. In Washington the important action of Congress on the Corwin report—the reception of the Peace proposition—the selection of Mr. Lincoln's Cabinet—the preparations for the inauguration—contributed to render every day pregnant with concern to the people; while the drift, towards the vortex of secession, of Virginia, by the revolutionary

tone of its Convention, conspired to excite a renewed interest in its proceedings.

The adoption, by the House, of the scheme of compromise reported by the majority of the Committee of Thirty-three, has been announced. The rejection of the Peace Convention report resulted from the unwillingness to act upon a second scheme, while the first covered the ground in the more official shape of a regular Congressional committee recommendation.

Mr. Lincoln's
Cabinet.

The choice of the cabinet of Mr. Lincoln scarcely served to indicate his policy. The final decision of its constituency was not made until Saturday evening, March 2d, when it became understood that it would be ordered as follows:

Secretary of State: William H. Seward, of New York.

" " *Treasury:* Salmon P. Chase, of Ohio.

" " *War:* Simon Cameron, of Pennsylvania.

" " *Navy:* Gideon Welles, of Connecticut.

" " *Interior:* Caleb B. Smith, of Indiana.

Postmaster-General: Montgomery Blair, of Maryland.
Attorney-General: Edward Bates, of Missouri."

The strongest influences had been brought to bear upon the President-elect to bestow a place in his council upon John Bell, of Tennessee, or W. A. Graham, of North Carolina, or upon Mr. Crittenden, of Kentucky; but, the incompatibility of such elements with the counsels which must prevail rendered the choice of either of those eminent men simply impracticable. The composition, as it was, did not give promise of harmony, since both the radical and conservative elements were prominent enough to threaten disagreements on vital points of national and internal policy. The selection, however, was conceded to have been made with extreme sagacity—each man being named to the place for which he was especially well fitted. Probably no administration in twenty-four years had embodied more *practical* executive talent. Throughout the entire period of his probation, the President had shown a will and a way of his own which no influence brought to bear could override. This persistence gave the country hope that his rule would prove as vigorous as all felt it would be honest. "Honest Old Abe" he was named, even by his political opponents.

John Tyler left Washington, for Richmond, immediately after the adjournment of the

Peace Convention, and, as already intimated, lent his influence to "precipitate"

Duplicity and Treason
Unmasked.

Virginia from the Union. One hundred guns were fired at Washington, February 28th, in honor of the Peace compromise. At the same moment the President and leaders of the Convention called by Virginia herself, was denouncing the result and demanding its

total repudiation! The following dispatch conveyed its own moral:

"RICHMOND, Thursday, February 28th, 1861.

"Messrs. Tyler and Seddon were serenaded to-night. Both made speeches, and denounced the Peace Conference as a worthless affair. They declared that the South had nothing to hope from the Republican party.

"Mr. Seddon said that the proposition adopted by the Conference was a delusion and a sham, as well as an insult and an offense to the South.

"Lieutenant-Governor Montague is now making a secession speech.

"The secession sentiment is increasing among the people, and if any measure of coercion is adopted, the North may rest assured that Virginia will secede.

"The Peace Conference is generally condemned."

Mr. Tyler thereafter bent his energies to accomplish John Tyler. what was designed from

the earliest stages of the excitement in Virginia—her cooperation in the scheme of a Southern Confederacy, wherein he might possibly become John Tyler *redivivus*. In the Confederacy of which most unfortunately he had been the accidental President, to the country's great detriment, he was unquestionably John Tyler *defunctus*.

North Carolina took a vote of the people for and against a Convention, February 28th. The final result showed a majority over six hundred against holding a State Convention.

The Missouri State Convention met February 28th at Jefferson City, and adjourned March 1st, to meet at St. Louis March 4th. It was understood to be comprised of a large majority of Unionists; but, the known disloyalty of Governor Claiborne Jackson, and of ex-Governor Sterling Price, rendered the results of its deliberations a matter of doubt. The Secession movement, thus far, had been so entirely ordered by a few men, that it was thought not only possible, but probable, the State of Missouri might be "precipitated" at the proper moment.

The Missouri State
Convention.

The sessions of the Virginia Convention were attended, as we have said, with much excitement. The Northern and Western sections of the State were represented by Unionists of ability and courage. The Central and Southern portions of "Eastern Virginia"

The Virginia State Convention.

were represented by dis-unionists of a particularly virulent character, with but two or three exceptions. The debates took a wide range, covering the questions of Federal, State and Social relations, and called out talent, in the discussion, which proved that the "Mother of Presidents" still was the mother of brilliant sons. Sad for the Old Commonwealth was it that so many of those sons were drunk with the poison of secession! Like the hasheesh eaters—who, in their ecstasy, built the temples of Xanadu, to dissolve in air when the finger of Fate should thrust their stately pleasure-domes through and through—the Secessionists built temples radiating glory from base to pinnacle, wherein each particular enthusiast was to be enshrined in tablets of gold. But, unlike the visionary of the hempen fumes, their castles required the prick of a bayonet ere they dissolved to leave the insane worshiper a miserable man, contemned even by his own kindred for his heartless and reckless revelry.

The Rhode Island Legislature, by a tie vote, (March 1st.) refused to instruct its Senators, and to request its Representatives, in Congress, to vote for the Peace Conference Propositions.

The Pennsylvania Legislature adjourned February 28th, to meet again March 12th, without taking any action on the question of instructing its delegation in Congress on the Peace Conference scheme of settlement.

Mr. Buchanan's Last Message.

The President communicated to Congress his reply to the House resolution, calling upon him for his reasons for assembling so large a force of military in Washington at that time. His answer was an embodiment of the facts set forth in the letter of Secretary Holt to the President, February 18th. [see pages 364-66.] The force, he submitted, was not so large as the resolution presupposed, being but 683 effective troops, whom he had summoned as a *posse comitatus*, to preserve peace and order before and during the inauguration, should any violence manifest itself. He defended the gathering of the troops as a precautionary step, which he would have been wanting in duty not to

have taken. The good effect of the measures adopted had been evident from the moment of the arrival of the first company. Up to that hour intense excitement prevailed in regard to rumored conspiracies and threats of force; but, the appearance of the military had calmed the public mind, and had given a sense of security to the city before wanting.

Preparations for the inauguration were announced, Thursday, February 28th.

Preparations for the Inauguration.

They embraced a procession—military, diplomatic, legislative, and civil—of a very imposing character, as an escort of the President-elect to the Capitol, and, after the ceremony of inauguration, as an escort to the White House. The uniformed militia of the District were ordered out in full force, while the regulars of the United States Army were to be disposed by the commander-in-chief as his judgment should dictate. A large and expensive hall had been erected for the Inauguration Ball, which was to come off on the evening of March 4th. The arrangements for the festivity gave promise of one of the most brilliant affairs of the kind ever witnessed in the Capital. All things augured well for a safe and agreeable instalment of the new Chief Magistrate.

As indicated in chapter XXXI., the Confederate Government had progressed in

Belligerent Attitude of the Confederates.

its organization, (up to March 2d,) so far as to instate its military and civil establishment, while its judiciary was rapidly assuming form and efficiency. A dispatch from Montgomery, March 2d, stated:

"Thirty thousand volunteers are now drilled and under canvas, awaiting orders. Large army provision supplies of all sorts have been purchased recently in Chicago, St. Louis, and Cincinnati, and sent to Mobile and New Orleans for distribution."

The safety of a despotism lies in its army. This the revolutionists, so well understood that, almost before the new Government was inaugurated, a military establishment was in operation; and, when Mr. Lincoln became Chief Magistrate, he found not a peaceable revolution to contend with, but one armed and belligerent at all points, proving that violence and defiance were the weapons to be hurled against his administration.

CHAPTER XL.

STATE OF FEELING IN EUROPE DURING JANUARY AND FEBRUARY REGARDING AMERICAN AFFAIRS.

Interest in American
Affairs.

THE state of foreign feeling during January and February was one of the outside features of the Secession movement which, to a student of the momentous events of 1861, formed not the least interesting episode of the period. In a previous chapter, [XIV..] we reproduced the editorial comments of some of the leading London and Paris journals during December and the early part of January. Without exception, they regarded the Secession movement with disfavor, generally regarding it as a scheme for founding a pure Slave Confederacy. As the revolution progressed, the interest of foreigners in our affairs increased—so much so that, by March 4th, the European press was engaged in an active canvass of the entire subject in all its bearings, political, social, and moral, both to the United States and to the Old World. Our system of a Democratic Confederacy was freely commented on, and many were not slow to point to the approaching dissolution of the Union as an evidence of the inherent instability of a Republican Government.

There was, however, in English journalism, a spirit of sympathy with the North of an unmistakable character; while the South, up to March 4th, scarcely found a respectable paper to give its cause even the shadow of a defence. The *London Times*, without committing itself to either section, laid its blows on both parties sturdily, and told so much truth and untruth, in its overwrought and pungent way, as did not fail to give offence equally to North and South. It thus recurred to Mr. Seward's speech of January 12th, [see pages 187-92:]

"We do not see much to admire in the speech of Mr. Seward. It was meant, no doubt, to be a great success, but fortune has not entirely seconded the

efforts of the orator. * * * Mr. Seward is in favor of doing all those things which he has already assured us will not save the Union. He is ready to repeal the Personal Liberty acts which trench on the policy of the Fugitive Slave law. He is willing to vote for the amendment of the Constitution declaring that henceforth it shall not be lawful to abolish Slavery by an act of Congress—an amendment utterly futile, since it can always be rescinded by the same power that enacted it. But, lastly, Mr. Seward is willing, when people have grown cool—that is, he says, in two or three years' time—to consent to a Convention to consider any change in the organic laws in regard to Slavery. And this while the steamers of the United States return to New York disabled by shot fired from Charleston batteries; while Charleston threatens Major Anderson with an attack on a fort held by him for the United States; and while the arsenals and forts of the Central Government, left to the care of separate States, are plundered and occupied as the result of a declared secession. This is all that the official adviser of the incoming President can suggest as a remedy for dangers so urgent and so threatening. The thing which has happened is 'impossible,' and in two or three years we may have a Convention. Alas! in two or three years, for all that Mr. Seward and his class seem inclined to do to prevent it, the United States will have drifted into a position not requiring, as now, only a manly resolution for their deliverance, but beyond the reach of the boldest or wisest of mankind to remedy it. In one thing we certainly agree with Mr. Seward—that if he is to be accepted as a type of the would-be saviors of his country, the Union is not likely to be saved, as he says, 'by anybody in particular.'"

The same article, however, assumed, with Mr. Seward, that any citizen, or any aggregate of citizens, seeking to destroy a Government, was guilty of treason to that Government. It stated the case thus forcibly:

"The American people have seen fit, acting as a nation and in their collective capacity, to create a Government possessing certain definite powers. The remaining functions of Government they have left to be administered within certain territorial di-

visions called States, and to each of these Governments, acting within its proper powers, every American citizen is bound to pay the same obedience as the people of England do to the laws under which they live. Any individual citizen, therefore, seeking to destroy this Central Government, is guilty of treason against it, and the same thing is true of any aggregate of individuals, even should they constitute the majority of the population of a State, or several States. The fact that rebellion takes the form of the secession of a State can make no difference, for, so long as the Central Government confines itself within its own jurisdiction, the State possesses no right whatever against it. The State possesses no greater right collectively than each of its citizens possess individually."

If the same authority, at a later day, demanded the right of the Southern States to secede—demanded their rights as "belligerents"—demanded the recognition of their independence—it was simply because it became *politic* to do so, not that what was treason in January was not equally so in July.

The London *Daily News*

The London *News*.

(January 22d) also gave its views to the same conclusion.

Its statement of the duty of citizens to obey, and the right of Government to enforce obedience, was clear and logically correct :

"Every American citizen is as directly bound to obey the laws passed by the central power in the exercise of its defined rights, as an Irishman or a Scotchman is bound to obey the laws of the Imperial Parliament. If any number of Irishmen or Scotchmen raised the standard of revolt against the Government, they would all be guilty of treason, but their conduct would not and could not affect the relations of the British with foreign Governments. So it is in the United States: the individual citizens of South Carolina or Alabama who levy war against the Federal Power are all guilty of treason, but their conduct cannot by possibility affect the relations between the United States Government and those of other countries."

The same journal (January 19th) thus generously defended our great Republican "experiment" from the scoffs of those friends of aristocracy who wished well to no reign of the people :

"America is a signal illustration of the worth of representative government. The people of England neither believe nor wish to believe in the ruin of the great Commonwealth of their kindred beyond the ocean ; but whatever perils be in store for it,

arising out of the schism of the Southern States, they well know that these perils originate, not from the application or misapplication of the Democratic principle in South Carolina, Georgia or Virginia, but conspicuously and notoriously from its absence in those States. The Southern States are not, and never were Democracies in any sense of the term. The simple truth is, and it cannot be too often repeated, that Virginia, Carolina, Georgia, Louisiana and Florida, were each and all expressly founded with oligarchic care and oligarchic aim upon an oligarchic model. All power and privilege were concentrated in the planter caste ; and a servile multitude was provided by regal and aristocratic policy by whose unrequited toil the governing few were to subsist. We grieve to be obliged to say that in our estimate of the possible future of America we see cause for the deepest anxiety as to the fate of civilization, social and political, in the devoted regions whose frantic oligarchs are striving to sever them from the wise and enlightened rule founded by Adams, Franklin, Hamilton, Jefferson and Jay. For the destiny of the Free North, with its intelligence and industry, its wealth and invention, its love of equal liberty, and its love of equal law, there is no cause for fear. Inferiority of soil, seaboard and streams, of mineral wealth, and of mountain pasture, of sweep of domain and enjoyable climate—the vigorous, fearless, self-reliant North can afford, with a laugh, to admit it all, and yet feel how transcendently stronger and richer, nobler and happier, is its place among the nations. If permanent severance there must be, the world will soon comprehend the difference between a compact nation of educated, free, and self-dependent citizens, and a community of indolent and insolent proprietors of land living in hourly dread of a herd of slaves."

The London *Saturday Review*, early in March said, in the course of a very clear and lucid *exposé* of the secession revolution :

"No event of our day has been half so wonderful as the one before us. Who, *à priori*, could have believed that in the nineteenth century a new State should be organized, by the grandsons of Englishmen, solely on the principle of preserving and extending a system of Slavery ! A more ignoble basis for a great Confederacy it is impossible to conceive, nor one in the long run more precarious. The permanent renunciation of sound principles and natural laws must, in due time, bring ruin. No great career can lie before the Southern States, bound together solely by the tie of having a working-class of negro bondsmen. Assuredly it will be the Northern Confederacy, based on the principle of freedom, with a policy untainted by crime, with a free work-

The *Saturday Review*.

ing-class of white men, that will be the one to go on and prosper, and become the leader of the New World."

The London *Morning Star* (January 21st) proposed to grant the Slave States the right to secede from the Union, but based its proposition upon such grounds as the Southern States must have repudiated:

"There are thousands of noble-hearted men and women in the Northern States who have a hearty hatred of that moral complicity in the barter of human flesh and blood, which has been forced upon them by their political organization. They know that many of the blemishes which the foes of Freedom have signalized in their republican institutions and social condition arise from the presence, in the consideration of a system essentially anti-republican, and as hateful to God as it is injurious to man. They feel that its alliance with the North has been to the South as the presence of a few good men which would have induced the Almighty to spare the guilty city; and that, had the Slave States stood alone, Slavery would probably before this have been numbered among obsolete iniquities. Various considerations may have induced them to refrain from seeking themselves to break the bond which led to such disastrous consequences; but now that the South sues for a divorce, why should they oppose the prayer? Let the Seceding States carry out their insane project, and base their new nationality upon the principle that man has a right of property in immortal beings; they will soon discover that they have built their house upon a heap of crumbling sand. The blessing of God will assuredly never rest upon that flag which, in a fair division of the emblem of the existing Union, should retain the Stripes without the Stars. If the men of the North have a clear perception of their duty and of the true interests of humanity, they will stay the hand of violence which has already been upraised, abandon all idea of coercion, and suffer the South to pursue unchecked its mad career."

The London *Economist*, in its early consideration of the question—ere King Cotton had whispered its Christian heart asleep and its commercial heart awake—gave expression (January 29th) to its views of the subject of recognition, by Great Britain, of the Seceded States:

"The truly melancholy side of these strange calculations on the part of the Southern States, is the evidence which they give of a completely distorted standard of judgment on all subjects at least that

touch the one great interest of their political life. They have cried out so long that all scruples about Slavery are cant and affectation, that they not only believe it, and believe that we believe it, but they even expect us to make a sacrifice of political credit and consistency by avowing our previous insincerity; and this for considerations that would certainly never have induced us to interfere in behalf of Hungary or Italy, whom we did desire to aid with all our hearts. Such infatuation is absolutely appalling. It seems to indicate that a kind of monomania blinds the Southern States on all subjects closely connected with their cotton and their slaves. We doubt if anything we can say will open their eyes. But we are at least bound in the name of the mercantile classes of England to tell them that any proposal to intervene on their behalf in the struggle against the Federal Government of the Union, would be scouted nowhere with more scorn and indignation than in those districts of England which would benefit most by free trade with the United States."

The reader may express surprise that the same journal, and, doubtless, the same editor, at a later day, became the champion of an English recognition of the Slave Confederacy; but, in England as in all the rest of the world, self-interest is all-powerful. It is so easy to make Principle sick, and to call in Policy as the doctor!

The London *Review*, (March 2d,) organ of the aristocracy, pronounced the Union to be hopelessly dissolved in these words:

"The United States of America are not in existence. A Free and a Slave Republic occupy their place, and stand side by side; destined to be rivals—perhaps to be enemies; while a third Republic, or confederation of Republics, to the west of the Rocky Mountains on the fertile shores of the Pacific, is certain to assert its independence at no distant date, and to form the nucleus of another powerful empire. * * * The disruption of the American Union is as much a *fait accompli* as the English Revolution of 1688, or the *coup d'état* that set Napoleon III. upon the throne; and if there be any statesmanship in the North, or in the South, the only wise policy is to acknowledge it, and make the best of it."

But the *Review* entertained little sympathy for the South and its political philosophy. It predicted the early inauguration of a monarchy over the downfall of republicanism:

"It is obvious that Mr. Calhoun's doctrine, carried to its legitimate length, contains within itself the germ of the downfall of Republicanism. Already the slaveholders constitute an oligarchy, and from an oligarchy to a despotism the gradations are not very slow or painful even in times of peace, while they are facile as the *descensus avern*i in periods of public danger, when war, offensive or defensive, opens the career of victory to any ambitious and successful soldier who has audacity enough to snatch at a crown and sceptre. There may be nothing positively new under the sun; but in modern times, or within the record of history, the world has not seen such a Republic, or such a system of government as that which has sprung into existence upon the shores of the Mexican Gulf. Its short history is the marvel of our time, and its continued existence will be one of the most singular problems of our civilization."

The Binding Force of
Treaties.

The London News, (January 29th,) advertising to the binding force of treat-

ies made with the United States, by European Governments, in event of a dissolution of the Union, thus silenced those who regarded the threatened disruption as propitious for the abrogation of all treaty-relations with the United States:

"Some are puzzled to know whether the treaties now subsisting between the United States and this country will continue if the Southerners succeed in separating themselves and setting up a Confederation for themselves. Such an event is spoken of as a dissolution of the Union of the States. If the contract had been made between this country and the several States, as States, no doubt the secession of some of them would free the others from the obligation of fulfilling the treaty. But the contract is with the American Union, the subjects of which consist of those who, while they owe it certain duties, owe their own States certain other duties. Even after the British Government lost Smith O'Brien, Mitchel, and Meagher, the treaties with foreign Powers were still binding. So, when Francis II. lost Sicily, or Austria lost Lombardy, the treaties with the Powers not at war continued binding. So it is in America. If the secession succeeds, the American Union will lose a certain number of subjects. Nay, more; any European Government will be at perfect liberty to make whatever treaties it pleases with those who have seceded; but the American Union will still subsist, weakened though it be by the loss of many citizens. This is the conclusion which inevitably flows from the nature of the American Constitution as we have explained it."

It will be evident, from these extracts, that British journalists well comprehended the position of affairs in America, and their judgments, for that reason, are worthy of attention. Americans, absorbed in the events of the hour and swayed by the feelings of partisans, could not be expected to pronounce a *disinterested* judgment on the revolution; but, those intelligent observers, so far removed from the scene of disaster as to be uninfluenced by its passions or results, could be regarded as reliable arbiters. If, at a future day — when the progress of the revolution had closed Southern ports, had cut off British looms from their supply of cotton and a profitable market for their products — the English press allowed its unanimity of condemnation to become broken, it was a *pocket*, rather than a heart or head, impulse that instigated paragraphs devoted to the Southern cause and Southern interests.

The Queen of England, at the opening of Parliament, (February 5th,) delivered her annual speech, in the course of which she referred in terms of kindness towards the American people that showed how anxiously the throne regarded the controversy:

Queen Victoria's
"Kind Regards."

"Serious differences have arisen among the States of the North American Union. It is impossible for me to look without great concern upon any events which can affect the happiness and welfare of a people purely allied to my subjects by descent, and closely connected with them by the most intimate and friendly relations. My heartfelt wish is, that these difficulties may be susceptible of satisfactory adjustment. The interest which I take in the well-being of the people of the United States cannot but be increased by the kind and cordial reception given by them to the Prince of Wales during his recent visit to the Continent of America."

As the Prince only visited the Northern States and Virginia — and, as the only insult he received was on Slave soil, at Richmond — the Northern States did not hesitate to appropriate to themselves her interest in their "well-being."

The English public was still more antagonistic to the Pro-Slavery Confederacy than the English press. Thoroughly Anti-Slavery in their views, the great mass

The Voice of the
English People.

of Britons are only consumers of Slave products from necessity. Manchester looms, so wholly dependent on cotton, might be fairly presumed to hum the pæans of Slavery; but, so far from this being true, the stoppage of the supply from America was seized upon as the most propitious moment for opening new sources of cotton culture, and thus to sever, forever, their dependence on the Southern States for a staple every fibre of which looked black even in its whiteness—every boll of which seemed, to them, a human tear.

CHAPTER XLI.

THE SPIRIT OF VIOLENCE IN THE SOUTH. EVIDENCES OF DEMORALIZED MORAL SENTIMENT. THE REPUDIATED DEBTS, AND VIOLENCE TOWARDS CREDITORS. THE RICHMOND "WHIG'S" CONFESSION. A BRUTAL ALABAMA SENTIMENT. NUMEROUS CASES OF OUTRAGE AND PERSECUTION OF "SUSPECTED" PERSONS. THE RESULTS TO CIVILIZATION OF THAT REIGN OF TERROR.

The Secret Enginery
of the Rebellion.

THE Southern States, from the first stages of their rebellion against the Federal Government, put forward, as a justification, the oppressions of that central power, and cited the Declaration of Independence as their defence. The parallel was indignantly denied by Northern men, as these pages will testify—in Congress and out of it, an overwhelming sentiment pronounced the rebellion "causeless, wicked, and unnatural," with "no justification in the law of the country, nor in the higher law of self-protection." From this very denial sprang the passions and impulses necessary to feed the fires of discord; and watchful "guardians of Southern interests" were not slow to fan the flames to a point of lawlessness necessary to "precipitate" States into the vortex of insurrection. Success in the secession movement depended solely on the ability of the leaders to fire the popular passions to the point of hate of the North and defiance of its association. Without a complete success in that direction, the revolution would become nerve-

less from inanition. A thousand devices were conceived to accomplish the desired end; and the secret history of the insurrection, if it ever shall be divulged, will be found rich in intrigue, profuse in duplicity, mighty in falsehood—all directed to the one purpose of "firing the Southern heart."

We have casually adverted to the animosity shown, in certain sections, towards Northern persons and interests, and promised a chapter of incidents to illustrate the *spirit* engendered by the revolutionists, by which to plunge the populace into their wild schemes. The fitting place for such a chapter is the close of this volume, which is rather a record of the preliminary condition of the revolution, than of the results which followed upon its full development, after the inauguration of Mr. Lincoln.

The repudiation of debts due to Northern merchants and manufacturers became one of the earliest and most exciting facts of the Southern movement. It argued a demoralized sentiment of probity, which equally alarmed and angered the Northern people.

Visitations on Northern Creditors.

The Southern merchants had, in exception to all commercial usage, obtained credits to an extraordinary amount, upon extraordinary time. A customer had but to say, "I am from the Cotton States," in order to obtain almost any credit desired. That secret and powerful inquisition, the "Commercial Agency," was scarcely consulted as to the Southerner's personal standing and commercial responsibility—so eager was the deluded merchant to secure a "Southern trade." The wretched list of failures in the winter and spring of 1861 ever will remain as a monument of Northern commercial temerity, in the matter of Southern credits.

The spirit which found an excuse for allowing paper to go to protest, and followed the protest with a note expressing satisfaction at the refusal to pay, soon betrayed itself in a passage of "stay" laws, in the Seceded States, and in the visitations of violence upon all agents of Northern business firms who sought out the recreant debtor in hopes of obtaining some satisfaction for the overdue claim. Lawyers banded together not to receive Northern claims for collection, while the people banded together to drive away any unlucky wight who proposed to do what the lawyers refused—to collect his own accounts. The agents, however, soon "made themselves scarce," as the vulgar, but significant, announcements in the papers recorded. Tar and feathers, and an escort of a "committee of citizens" to the nearest railway station, were such inevitable results as served to rid an "indignant community" of all "Northern vagabonds" early in the year (1860.)

The Early Symptoms of Violence.

These occasional persecutions of collectors and agents seemed to engender an appetite for the excitement; and it became a very honorable calling for committees to spy out every man of Northern birth—to seek to inculcate him in some way, in order to allow of the usual warning "to leave." As early as February these inquisitions became so frequent that large numbers of persons—chiefly Northern-born mechanics and tradesmen, who had found employ and a business in the South—fled for their lives, leaving behind all their

possessions. To meet these refugees in Northern cities became of such frequent occurrence, in February and March, that the public almost tired of their uniform stories of injuries received and sufferings endured.

The spirit of anger was fast culminating, not in a national, or even sectional resentment, but in a species of inhuman personal malice which served to ally that revolution to the Sepoy drama.

The *Richmond Whig* (March 15th) said:

"It is a melancholy fact that a larger amount of mob violence has been developed in Virginia, since the Secession movement began, than in the whole previous lifetime of the State. There has been manifested an intolerance of spirit never before known; and, what is more, such intolerance is evidently on the increase, and bodes no good to law and order, and to the peace and prosperity of the citizens of the State. and if not checked and repressed, and that without delay, it will lead to riot, revolution, and fraternal bloodshed."

This is simply confirmatory of our statement hitherto made (see page 419) of the fearful spread of the spirit of violence throughout the Cotton States, where almost every youth sported his pistol and rapier, and shared the space in his mouth equally between oaths and tobacco. It was one of the first fruits of insurrection. Lawlessness towards government soon begat lawlessness towards society—the dragon's teeth grew with fearful fecundity. The demoralization betrayed itself even in the changed tone of the secession portion of the Southern press. As an evidence, we may quote one of a great many similar notices made of General Scott—even by professedly respectable journals like the *Richmond Inquirer*. The *Montgomery (Alabama) Mail* (February 6th) contained this paragraph:

Advice to Southern Youths.

"We observe that the students of Franklin College, Georgia, burned General Scott in effigy a few days ago, 'as a traitor to the South.' This is well. If any man living deserves such infamy, it is the Lieutenant-General of the (Yankee) United States. And we have a proposition to make, thereanent, to all the young men of the South, wherever scattered, at school or college; and that is, that they burn this man in effigy all through the South on the evening of the 4th of March next. The students of the South are an important class of our rising genera-

tion. Let them make an epoch in the history of our sunny land, to which legend, and tale, and song shall point in after years. General Scott deserves this grand infamy. He is a traitor to the soil of his birth; false to all the principles of the Commonwealth which nurtured him; the tool, willing, pliant, and bloody, of our oppressors; and it is meet that his name should descend to our posterity as a word of execration! What say the students?"

Some notices of the war-worn veteran—who had added more glory to the American name than any man since the "Father of his Country"—were so violent and vulgar as to forbid their repetition here, even though they might reflect, with stinging severity, upon a state of society which could be pleased with such impotent malice.

To show the nature of the persecutions inflicted on those "suspected," in the revolutionary States, we shall cite a few from the numerous well-authenticated instances, that they may stand before a Christian world as an evidence of the civilization which springs from a state of society like that which controls the Southern States of America.

An advertisement appeared in a New York daily, February 18th, as follows:

"FARMING MANAGER.—An Englishman by birth, having had very extensive experience in breeding, raising, buying and selling of all kinds of cattle and sheep in his own country, and who has been engaged North in agriculture for three years, and South for two, is on his way to New York, having been expelled, and his property confiscated, on suspicion of being opposed to Slavery. He would like to engage with any gentleman having room to grow grain and roots, and to farm on a modern, enlightened system, not looking to corn alone. He is 40, and has a small family. Address ———."

This case was that of a person named Gardiner. He had taken a farm "on shares," near Wilmington, North Carolina. In August, September, and October he labored assiduously and successfully, and got a good start. In the Fall he obtained about sixty dollars worth of seeds from New York, ready for his Spring planting. He was astounded, one day in February, to be arrested and thrown into prison, upon representation of the fellow whose farm he occupied that he (Gardiner) was a "dangerous" man. Gardi-

ner procured bail from some of his countrymen, but these men were com-

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pelled to withdraw their bond, under threats of a similar course towards themselves for being "dangerous" citizens. The matter was "compromised, out of consideration for his (Gardiner's) wife and children," by having his household goods hastily thrust on a little schooner—on which Gardiner and his family, perfectly penniless, were sent to New York. All his property and improvements passed into the hands of the good Southern Rights man who had instigated the mob, and *compelled* the authorities to the deed of violence.

Two Jersey men were hung in the vicinity of Charleston, early in February, for "suspicion of tampering with slaves." An English captain was served with a coat of tar and feathers in Savannah, in January, for having allowed a stevedore (black) to sit down with him at the dinner-table. Another Englishman, belonging in Canada, sailed on a vessel trading along coast. At Savannah the vessel was visited by a negro having fruit to sell. On leaving, the black man asked for a newspaper, and one was given him which happened to contain one of Henry Ward Beecher's sermons. The black was caught by his master reading the "incendiary" document. Refusing to tell how he obtained it, he was ordered to the whipping-post, and flogged until he "confessed." The vessel was boarded by the authorities, and a demand made for the astonished Canadian. The captain, however, stood before him as a British subject; and, by agreeing to ship the *culprit* North, by the next day's steamer, succeeded in saving him from the mob that stood ready on the shore to lynch him. He was placed on the steamer, on the morrow, when two "officials" came forward with a writ, which they agreed not to serve if the poor fellow would pay them fifty dollars. This he gladly paid, and was suffered to depart, "out of consideration for his being a British subject." Had he been a Yankee, he would have been hung.

The following item appeared in the Eufaula (Ala.) *Express*, (February 6th):

"A SUSPICIOUS INDIVIDUAL.—The worthy captain of the Home Guards arrested a man on last Tuesday,

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Mr. Smith proceeded on his way. At Abbeville (Ala.) he was again "apprehended." The Vigilance Committee relieved him of his horse and buggy, \$356 in money, and all his papers. Then, taking him to a grove one-half mile from town, he was *hung*. No legal proceedings were had in his case—no evidence existed as to his asserted "crime," except the newspaper's statement. He was dealt with according to the law of the super-judicial Vigilance Committee.

It has been denied that Southern men ever permitted the roasting alive of slaves guilty of the high crime of murder of masters, or of the more heinous and diabolical nameless crime against females. Proof to the contrary, however, not only is not wanting, but is quite abundant, which goes to show that that horrible and barbarous mode of execution has been resorted to for lesser crimes than those indicated—even upon *suspicion*. A case in point was freely narrated by the Harris County (Geo.) *Enterprise*, in February. On the 14th of that month a lady named Middlebrook, being alone in her house, was alarmed early in the morning, by the entrance of some person. "She hailed the intruder," the paper stated, who, to silence her cries, took her from her bed, and, carrying her across the yard, "threw her over the fence." This was all. No violence upon her person, no maiming—only "the fiend" abused her in a "most

shameful manner." He was alarmed by two negro women, and fled. The neighborhood was aroused. The lady stated that *she believed* the perpetrator of the outrage to have been a negro man named George. The newspaper account then states:

"Dogs having been procured, the track was pursued to a neighboring house, where the boy George had a wife, and thence to the residence of Mr. John Middlebrook. Under these circumstances, it was thought advisable to arrest the negro, which was done, and after an investigation before a justice of the peace, he was duly committed, and placed in the jail in this place, as we thought, to await his trial at the April term of our Superior Court.

"On Monday morning last a crowd of men from the country assembled in our village, and made known their intention to forcibly take the negro George from the jail, and execute him in defiance of law or opposition. Our efficient sheriff, Major Hargett, together with most of our citizens, remonstrated, persuaded, begged, and entreated them to desist, and reflect for a moment upon the consequences which might follow such a course, but without avail. Major Hargett promised to guarantee the safe-keeping of the prisoner by confining him in any manner they might suggest, and our citizens proposed to guard the jail night and day, but all to no purpose. There was no appeasing them. They rushed to the jail, and, despite of all remonstrances, with axe, hammer, and crow-bar, violently broke through the doors, and took the prisoner out, carrying him about two miles from town, where they chained him to a tree, and *burned him to death*.

"We understand that the negro protested his innocence with his last breath, though repeatedly urged to confess."

This horrible record could be written of no civilized country on the globe save of the Southern States of America. How that last paragraph rings out its silent imprecation upon a state of society which would allow such a deed to be committed on its soil! These murderers were "citizens," and, of course, never were even questioned as to their crime; it was only a *suspected negro* whom they burned. This deed was committed about fifty miles above Eufaula.

Atlanta (Geo.) boasted of as violent a people as Eufaula or Abbeville. The same spirit which roasted a suspected negro would have hung a white man who might have been guilty of offence to the sensitive people. The

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Intelligencer, of Atlanta, in February, thus paragraphed the public sentiment of

that locality, in regard to the editor of the Nashville (Tenn.) *Democrat*, who had pronounced Jefferson Davis a great humbug:

"If Mr. Hurley will come to Atlanta, we take the responsibility of saying that his tavern bill or his burial expenses shall not cost him anything. The only thing which strikes our astonishment is, that the people of Nashville would tolerate such a paper as the *Democrat* in their midst. General Jackson, whose bones repose within twelve miles of the City of Nashville, doubtless turned in the grave when such abominable doctrines were permitted to go forth from a Nashville paper."

These "abominable doctrines" were loving the Union more than the newly-hatched Southern Confederacy—that was all. How many men were hung for the same crime in that delectable neighborhood, the Vigilance Committees only knew.

The manner in which men's lives were imperiled may be learned from a statement made by one Jones, of Rock Island, upon his return from Louisiana, February 27th. He had worked for three months, when, eighty dollars being due him, his employer charged him with being an Abolitionist. He was given five dollars and ordered to leave. He said, in the course of his statement:

"It would have been madness for me to have staid to collect the money due me. I had seen enough to know that any man charged with being an Abolitionist was certain to be hung or thrown into the river by lynch law, and there were my employer's two brothers to swear, as they told me they would, that I was an Abolitionist. Not very long before I left, a planter had been robbed and murdered on the highway; and there came along on the levee where we were working a crowd of about forty ruffians, all armed to the teeth, and accompanied by about forty hounds, such as are used to track runaway negroes. They searched our cabin, and inquired particularly after any 'strangers.' Three hours after they returned with a white man whom they had seized. He was tied to the tail of a mule by a halter around his neck. I afterwards heard that they took him into the timber and half hung him to make him confess, and would have hung him outright, but for a planter who persuaded them to wait until the next day, when the real murderer was caught, and this man was released."

There was nothing new or remarkable in

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this statement, since hundreds of men doing business on the Mississippi

River would substantiate it by citations of cases more thoroughly cruel and painful. We give Jones' story because he came accredited as an entirely reliable informant.

The statement of Mary Crawford, made public in the winter of 1861, detailed, with painful minuteness, the sad story of her husband's awful murder in Tarrant County, Texas, July 17th, 1860. The man was taken on suspicion of being an Abolitionist, and, after being shot, was hung. The wretched wife, informed by her two little boys (who had been with their father out to haul wood, when Crawford was seized) of their fears, had started out to learn something of her husband's fate. She had proceeded but a short distance when a party of men informed her, with indifference, that her husband was hung. The narrative read:

"They took me back to the place we had been living in. My grief, my indignation, my misery, I have no words, no desire to describe. The body was not brought to me until night, and only then by the direction of Captain Dagget, a son-in-law and partner of Turner, (for whom Crawford had done much work,) who had been a friend to my husband, and was the only man of any influence who dared to befriend me. He had been away from home, and did not return until after the murder had been done. He denounced the act, and said they killed an innocent man."

The local newspaper—the *Fort Worth Chief*—thus chronicled the tragedy:

"MAN HUNG.—On the 17th inst. was found the body of a man by the name of William H. Crawford, suspended to a pecan-tree about three-quarters of a mile from town. A large number of persons visited the body during the day. At a meeting of the citizens the same evening, strong evidence was adduced proving him to have been an Abolitionist. The meeting endorsed the action of the party who hung him. Below we give the verdict of the jury of inquest:

"We, the jury, find that William H. Crawford, the deceased, came to his death by being hung with a grass rope tied around his neck and suspended from a pecan limb, by some person or persons to the jurors unknown. That he was hung on the 17th day of July, 1860, between the hours of 9 o'clock A. M. and 1 o'clock P. M. We could see no other marks of violence on the person of the deceased."

This man Turner—a lawyer, and an owner of forty slaves—was one of those persons

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who arraigned Crawford in the presence of his little boys, and had borne him away from their sight to hang him. The jury took no steps, of course, to learn anything in regard to the murderers. Indeed, the act was not only justified, but, out of it, grew an organization which succeeded in whipping, banishing, and hanging over two hundred persons—three Methodist ministers included—in the course of the succeeding three months, under plea of their being "Abolition emissaries," who had instigated the burning of property, and incited negroes to run away. The report of that meeting deserves repetition, in illustration of the manner in which the slave districts care for their morals and their safety :

"At a large and respectable meeting of the citizens of Tarrant County, convened at the Town Hall, at Fort Worth, on the 18th day of July, 1860, pursuant to previous notice, for the purpose of devising means for defending the lives and property of citizens of the county against the machinations of Abolition incendiaries, J. P. Alford was called to the chair, and J. C. Terrell was appointed Secretary. After the object of the meeting was explained by Colonel C. A. Harper, the following preamble and resolutions were unanimously adopted :

"Whereas, The recent attempts made to destroy several neighboring towns by fire, the nearly total destruction of one of them, coupled with the conversation and acts of one W. H. Crawford, who was hung in this county on the 17th inst., prove conclusively to us the necessity of an organized effort to ferret out and punish Abolition incendiaries, some of whom are believed to be in our county. Therefore, to discover and punish said Abolitionists, and to secure the lives and property of our citizens, be it

"Resolved, That we endorse the action of those who hung W. H. Crawford in this county on the 17th inst., convinced as we are, from the evidence upon which he was hung, that he richly deserved his fate.

"Resolved, That a Central County Committee be appointed by the President, consisting of seven citizens, whose duty it shall be to appoint such Committees in every precinct in the county, which sub-Committees shall confer with and report to the Central Committee the names of all suspected persons in their precincts, which persons shall be dealt with according to the pleasure of the Central Committee.

"Resolved, That the members of this meeting hereby pledge themselves to support said Central Committee in the discharge of their duty in dealing with Abolitionists and incendiaries.

"JAMES P. ALFORD, *Chairman.*

"J. C. TERRELL, *Secretary.*

"The Central Committee hereby notify all persons connected with or holding Abolition senti-

ments to leave the county forthwith, or they may possibly have cause to regret remaining."

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It is probable that every one of the men persecuted were as innocent of offence as Crawford. "Abolition emissaries" were not necessary to instruct negroes how to fire houses. The "Abolitionists" were, without exception, men having a calling, and pursuing it peaceably; but, being Northerners, and living without holding Slaves, were proofs conclusive of their dangerous character to the "highly respectable citizens" of Texas.*

The case of Mrs. Catharine Bottsford, as published at length in the *New York Tribune* of March 22d, afforded the age with an evidence that even in the civilized city of Charleston, South Carolina, an intelligent, honorable, and unprotected lady could be thrown into prison and be made to suffer indignities because some person had said she had "tampered with slaves."

Arthur Robinson, of New Orleans, publisher of the *True Witness*, a religious paper of the Old School Presbyterian denomination, was arrested, and thrown in prison without the usual forms of law. After laying there some time, he was taken into the criminal court for trial. The indictment, however, was so ignorantly drawn that he was set at liberty pending a second arrest. His friends managed to effect his escape up the river. He lost everything. His "crime" was, not in saying or publishing anything offensive, but a "committee" having searched his premises, found "seditious" literature in his possession, and for that he was made to suffer. He would have been consigned to State's Prison for having the *Boston Liberator* on his exchange list had it not been for the flaw in his first indictment, and his escape from another arrest.

* When Wigfall stated, on the floor of the United States Senate, that men were hanging from trees in Texas for opinion's sake, he was known to tell the truth, then, for a certainty. It will be remembered that Lovejoy, of Illinois, had in vain tried to get the case of the Methodist ministers, (one of whom was hung and others whipped) before Congress. [See Stanton's Defence of the Ministers from Reagan's Brutal Charges, pages 229-30.]

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John Watt, a citizen of
Michigan, was working
near Vicksburg, Missis-

sippi, in January. While under the influence of liquor a "committee" extracted from him "dangerous sentiments," and he was taken over the river into Louisiana and hung, and his body left hanging to the tree.

The first officer of the bark *Indian Queen* made a statement in the New York journals, March 16th, to the effect that the vessel put into St. Marks, Florida, in January—himself and his second officer both being ill of the Chagres fever. Both were sent ashore to the United States Marine Hospital at that place, for proper care, while the vessel anchored in the harbor below, to await their recovery. As soon as Florida seceded, (January 11th,) the Hospital was seized and the invalids turned out. The vessel lay at anchor about ten miles below the town. She had, as part of her crew, seven colored seamen—all able and trusty fellows. A plot was hatched to seize all these men and sell them into slavery—a judge of the Supreme (State) Court being one of the conspirators. The plot was revealed to the captain at two o'clock in the morning. He arose, hired a steamer, ran down to his vessel, and had her towed out to sea, beyond the jurisdiction of Florida. The discomfited citizens swore dreadfully over their disappointment.

The same officer stated that, a few days after the ordinance of secession was passed, a resident of St. Marks remarked that the South was wrong and the North right in the controversy. Whereupon, he was seized, stripped, whipped, and started "out of the country."

Mr. H. Turner, a New Hampshire man, had for several years, spent the winter on the plantation of Woodworth & Son, near Charleston, South Carolina. Before the Presidential election, in reply to the question of a fellow-workman, he had stated that, if he held the casting vote, it should be given for Lincoln. Two weeks after the election he was visited by two members of a "Vigilance Committee," and asked if what had been reported was true. He answered that he had made that single remark to a fellow-workman, but to no other person. A warrant for his arrest, as an incendiary and Abolitionist,

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was produced, and he was
taken to Charleston, to jail.

Around the jail a mob of

"citizens" gathered, demanding that the jailer should give the prisoner up to them. It was only dispersed by the horse patrol. He was allowed neither food nor water. On the afternoon of the day succeeding his arrest, he was taken before the "Vigilance Association Tribunal," for examination. Confessing, again, that he had said to the workman what was reported, he was remanded back to jail, to be passed over to the Criminal Court. The "Judge" of the Tribunal treated the prisoner with a choice lecture, chiefly composed of oaths and imprecations. He was placed in a bare cell, where the night was spent; and only on the morning of the second day's confinement was he allowed food, consisting of a small piece of black bread and a pint of bad water. For *fourteen weeks this man lay in that wretched dungeon*. At the end of that time the son of his employer came to the jail, and stated that his wages, \$248, still due, should be paid him, and his release procured, if he would leave at once. The promise was gladly given. He was taken to the steamer amid the hootings and howlings of a mob, which made threats of lynching. On the way to the steamer, he called upon a watchmaker for a fine watch and chain which he had left for repairs before his arrest. The watchmaker bade him, with an oath, to leave his premises. Once on the steamer, he expected his wages, as promised; but received nothing, and was permitted to work his passage to New York, where he arrived in a perfectly destitute condition.

Captain E. W. Ryder, of the bark *Julia E. Aery*, and his son, James B. Ryder, as mate, were landing a cargo at Encero Mills, Camden County, Georgia, in November, 1860, when a negro came aboard the vessel with oars to sell. None being wanted, he was sent away. He paid a second visit, and some clothes were intrusted to him to wash, upon his telling that he belonged to a Dr. Nichols, living near. That afternoon five men came to the vessel, and demanded the right to search for the negro. The captain gave permission for the search, freely, but stated that

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the fellow had gone ashore, taking with him some clothes to wash. The five men completed the search which, it became evident to the captain, was but a cover for the "citizens" to examine his cargo, his means of resistance, &c., as well as to discover, if possible, some "Abolition literature" by which to seize the entire crew and vessel as "dangerous to the peace of the community." The "Committee" returned on the following day, late in the evening. It had grown to fifteen in numbers, who proceeded to thoroughly ransack the vessel's hold. Every chest and bunker were overhauled. Nothing "dangerous" being found, the "Committee" passed on shore where, summoning the negroes who had been engaged in unloading the vessel, they examined them as to the *conversations* on the vessel. Six of them were finally most unmercifully whipped, to make them "confess." What they confessed, was not known to the captain; but, as they probably stated anything required, the mob, it soon became evident, was ready for proceedings. The captain and his son went before the "Committee" and stated that, not only had no conversation been had, but that they had positively forbidden any unnecessary communication between his men and the negroes—that one or the other of the officers always was present, to see that orders were obeyed. This did not satisfy the "Committee," and the two were taken to the jail at Jefferson, fifteen miles away. There they were again arraigned before another "Vigilance Association," and charged with being Abolitionists—a charge which both men denied as unfounded in proof. No proof being produced, they were allowed to spend that night at a hotel. A cook (black) from another vessel, was produced on the succeeding morning, who stated that he had heard both white men say they were Republicans, and would have voted for Mr. Lincoln if an opportunity had offered. The black fellow who had taken the clothes to wash, was then brought forward, and he corroborated the statement of the other black man. This was deemed evidence conclusive to the "Committee" and the sentence of a public flogging was immediately decreed against both father and son. This

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was deemed a lenient punishment—hanging was the usual mode of treating "such scoundrels." The inhuman wretches took their prisoners to the front of the courthouse, where, both being stripped to the waist and tied to a tree, they were whipped—twenty-five blows with heavy leather thongs being administered to each. The elder Ryder, being an old man, was a terrible sufferer under the horrible infliction. After the "punishment" both were thrust into cells in the jail. The large crowd which witnessed the whipping enjoyed it, apparently with a real zest, as it jeered and laughed vociferously during the brutal punishment. The two men lay *fourteen days* in that jail, suffering exquisite tortures from their wounds. At the end of that time five men came, took them out, carried them to their vessel, and remained until the craft stood out to sea.

This instance of atrocious wrong was simply one of several similar cases inflicted in the same neighborhood. The civilized world may be excused for doubting evidence so inhuman; but, there is no room for disbelief when an old man's scarred back is exhibited to the pitying eye.

We may close this revolting record with the following statement made by the *Cincinnati Gazette*, of May 18th:

"Nearly every day some fresh arrivals of refugees from the violence and ferocity of the New Dahomey bring to this city fresh and corroborative proofs of the condition of affairs in the rebel States. Many of these have come thence at the peril of their lives, and to avoid threatened death, have taken a hurried journey surrounded by thick dangers from the madmen who now fill the South with deeds of violence and bloodshed.

"The people in that section seem to have been given up to a madness that is without parallel in the history of civilization—we had almost written barbarism. They are cut off from the news of the North, purposely blinded by their leaders as to the movements and real power of the Government, and in their local presses receive and swallow the most outrageous falsehoods and misstatements.

"Yesterday, one William Silliman, a person of intelligence and reliability, reached this city, returning from a year's residence in Southern Mississippi. He was one of a party who, in 1860, went from this

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city and engaged in the construction of the Mobile and Ohio Railroad.

"Mr. Silliman, for several months past, has lived in Cupola, Itawamba County, one of the lower tier of counties, two hundred miles from New Orleans, and one hundred and sixty miles from Mobile. He says a more blood-thirsty community it would be difficult to conceive. Perfect terrorism prevails, and the wildest outrages are enacted openly by the rebels, who visit with their violence all suspected of loyalty, or withholding full adherence to the kingdom of Jefferson Davis. Could the full history of these outrages be written, and that truthfully, many and most of its features would be deemed incredible and monstrous, belonging to another age, and certainly to another county than our own.

"The party who is suspected of hostility, or even light sympathy, with the rebellion, is at once seized. He is fortunate if he is allowed to leave in a given time, without flogging. He is still fortunate if only a flogging is added to the order to depart. Many have been hung or shot on the spot. Mr. Silliman details five instances of the latter as having occurred among the amiable people of Itawamba County, within the past ten weeks, of several of which he was the eye-witness, a mob wreaking their vengeance upon their victims under the approval of local authorities. These five men were Northerners, at different times assailed by the rebels. Three of them were strangers to all about them.

"On Saturday of last week a man was hung at Guntown, who refused to join the rebel army, and also refused to leave. He was taken to a tree in the outskirts of the village, and left hanging to a limb.

He had a family in the place.

Guntown is 10 miles from Cupola. The same day, at Salltillo,

Instances of Outrage
and Suffering.

a man was hung under similar circumstances, and still another at Vonona, where a traveller was seized in passing through the place. All these towns are within 20 miles circuit of Cupola, where Mr. Silliman resided. He says that he can recall twelve instances of killing, whipping, and other outrages thus visited upon the victims of the rebels in that vicinity, within the past two months. Many have been waiting in the hope that the storm would 'blow over,' but have, one after the other, been forced to submit or seek safety in flight."

The instances herein given are such as seemed to us to be so verified as to admit of no doubt as to their entire truthfulness. Many others made public, and some of a most outrageous character, which have been repeated to us by refugees in person, we have refrained from referring to, since a suspicious public might question the authenticity of their unsupported statements. Enough has been given to throw an historical light upon the *animus* of the Southern people engaged in the revolution. The future historian of the great rebellion will not fail to discover in that spirit, not only a key to the social state of that section of the country, but will, if he be a disciple of Schlegel, find in it an effect of a cause—which cause had sedulously, and for generations, insensibly undermined the moral sentiments of the people.

CHAPTER XLII.

THE FINAL ISSUE. MR. BUCHANAN AND HIS ERRORS.

THE Southern seceded States, notwithstanding their apparent confidence in their future, still were much alarmed at the attitude of the North, as well as at Mr. Lincoln's expressed determination to "retake and hold" the property of the Government seized by the revolutionists. From the preliminary stages of the secession movement,

its leaders had, with entire reliance, counted upon a strong defensive support in the North which would restrain any attempts at coercion, should they be made by the Republicans and Douglas Democrats. New York City alone was regarded not only as ready to sustain the South in its secession, but, looking to the future through the medium of

Mayor Wood's treasonable and preposterous manifesto regarding the *independence of New York island*, Southern men felt assured that the result would justify their most arrogant and precipitate steps in the formation of a Confederacy of Slave States. This rashness unquestionably was their ruin. Peaceable secession the administration Democracy stood ready to defend, as all their speeches in Congress during December, and the tone of the leading administration journals in the North, during the same month and the first half of January, will demonstrate. But, who ever knew the South, as a section, to treat any measure with calmness which affected their social or political status? The spirit which domineered at home was not one to play the courtier in the presence of its legislative equals; and when the serpent of the revolution began to uncoil—began to put forth, one by one, its hydra heads, its fangs were freely shown, and those who would have bade the monster depart in peace from the National Capital, were compelled to assume an attitude of defence against its malice and folly. The speech of Mr. Sickles, in the House, February 5th, sounded the alarm in these words of warning:

"In November it was peaceable secession. We could agree to that. I am for it. In January it was forcible secession; and then, sir, the friends of peaceable secession in the North were transformed into timid apologists. In February it is spoliation and war. Armies were raised under the guns of forts belonging to the United States, the jurisdiction of which has been ceded to us by the solemn acts of the Seceding States. Measures of open war only yielded to Mexican spoliations, and I say, in the presence of this new and last phase of the secession movement, that it can have no friends in the North—it can have no apologists in the North; but there will soon be no exception to the general denunciation which it must meet from every loyal and patriotic citizen of this country."

Before such an issue, rashness and insolence would have given way at least to an outward show of kindness, in order to foster the moral and material force of that Northern sentiment in favor of peaceable secession; but, with a mountebank like Wigfall—with such a "tower of strength" as that embodiment of coarseness, James M. Mason—with the distempered and thwarted Robert M. T. Hunter—to defend and direct the cause of the rev-

olutionists in the Senate; with equally distasteful men in the Lower House; with Toombs, Davis, Pickens, Brown, Slidell, Yancey, Rhett, Cobb, Benjamin—all plotting and counter-plotting for their own preeminence in the new nation: it is not remarkable that the secession movement should have resulted as it did—in *driving* the North, as a section, into an attitude of firm and determined resistance. Had the wiser counsels of Mr. Stephens, Judge Campbell, and other Southern "conservatives" prevailed, it is highly probable that the history of the revolution would not have been written in blood—that diplomacy would have taken the place of the bayonet. Let the story of that reign of madmen remain, with its moral, as a warning to future malcontents!

In view of the apparently inevitable issue of a defence against their aggressions, the most extraordinary exertions were put forth by the Provisional Government to meet impending emergencies. As stated elsewhere, the levy of troops became general throughout the Seceded States. The forts in possession of the revolutionists were strengthened, and strongly garrisoned. Before Fort Pickens, off Pensacola, a powerful army gathered in February, under command of Braxton Bragg, late of the United States army. Before Fort Sumter the outlines of the lands around fairly bristled with guns. It was of the first necessity, in event of a conflict with the Federal Government, that both of these fortresses should be in possession of the Confederates. They thus become, *per consensum*, the points of all interest to the people: around, and within their ramparts must the first blood be shed of a contest at which the civilized world should stand aghast.

In view of Mr. Lincoln's several declarations, on his route from Springfield to the Capital, regarding the forts and the property of the Government, the Charleston *Mercury* called, in these terms, for haste and extent of warlike preparations:

"If his (Lincoln's) declarations are to be relied on, he will attempt to retake the forts now in the possession of the Confederate States and reinforce those now in the possession of the United States. That will be war—war in our bays and harbors. He will probably be willing to confine it to such localities. We have no idea that he will dare a campaign

with an army to conquer the South, but we can make the war he will have begun as wide as the ocean itself. It is said that New England made more money than she lost in the war of 1812, by privateers on the British commerce. We of the Confederate States cannot be the greatest loser at such a game. But, whatever may be our instrumentalities of defence or aggression, the Provisional Government was established to put them in full operation against our enemies of the North. It is a war government. It may be compelled to raise an unusual army. It may be compelled to lay unusual taxes—to call for unusual loans. Let the people of the Confederate States view with forbearance its imperfections or irregularities, and be prepared to support it in all its difficulties. Within one month we will know what our necessities require. The Provisional Government may be useless, and a permanent government, looking to all those guaranties which a free government require, may supersede its temporary existence.

The terms here used—"our enemies of the North"—implied a fact which should be given due weight, viz.: that the Southern populace had been educated to believe that the North was, an open and declared enemy of the South; hence, the unanimity with which they responded to the call to arms, and submitted their necks to their rulers' yoke. The relative strength of each section became a subject of quite general attention, as well as the comparative courage and activity of the Northern and Southern people. The intelligent community never before took such interest in the census statistics. It is indicative of the extraordinary self-deception which the Southern people practised upon themselves, that they deemed their six millions of white population fully equivalent, in material force, to the nineteen millions of the North. It would have been considered an evidence of cowardice in the South for a person to have confessed the equality of the North with the South, man-for-man. The local and State prejudices which ever have prevailed in the Cotton-growing States—owing as much to the want of general intelligence among the masses of the people, as to the egotism and dictatorial spirit engendered by long exercise of the rights of masters over slaves—served to strengthen this over-estimate of strength and the resources of war.

During the last days of February, Col.

Whiting was dispatched by Jefferson Davis to inspect the fortifications of Charleston. The "Floating Battery," of which great expectations were formed, was launched February 25th. It was simply a floating fortification about one hundred feet front, to mount four to six heavy guns. It was low in the water, built of pine and palmetto logs and ribbed with iron—thus supposed to be impervious to shot. The design was to anchor it in a commanding position off Sullivan's island, where it could enfilade the ramparts of Sumter.*

The fortress on Cumming's point was a firm structure of green logs covered in sand, mounting guns of a very heavy calibre, with one or two very effective rifled cannon. The other batteries strung along on Sullivan, Morris and James islands, were located in spots to command the channel approaches to Sumter—thus to cut off all reinforcements by sea. Fort Moultrie was a frowning fortress, of a nameless number of guns, evidently prepared for throwing shot and shell in an appalling shower upon the sea-girt fastness of the "Invincible Eighty" which lay off in the harbor, as sullen, silent and dark as a sleeping volcano.

This was the consideration which the Confederate Government vouchsafed to the Union, with which "its only desire was to maintain relations of peace."

Audi alteram partem. We feel the force of the injunction when we are called to sit in judgment on the Administration of Mr. Buchanan. With the effects of his misrule we are so painfully impressed, that the impulse to pronounce a sweeping condemnation is indeed strong. The tragedy of war—the humiliation of our National prestige—the awful

* The idea of this battery was by no means an original one. At the siege of Gibraltar, 1782, ten floating forts were constructed, at a cost of upwards of \$500,000. They were so compactly built as to be deemed invulnerable, and, mounting from ten to eighteen guns each, truly were formidable engines of destruction. They worked well and did great execution, until the fortress threw hot shot, when they were soon all in flames, and those on board perished almost to a man.

peril to Republican Government which he bequeathed as a legacy to his successor—all rise up, not like spirits, but like palpable presences, to cry out "anathema!" There are, too, minor sins for which partisans of the Democratic faith will not fail to hold him responsible. He assumed the Chief Magistracy as the representative of a powerful party whose rule has rarely been broken since Jefferson laid its bases in the National heart. He vacated the Chief Magistracy to leave that party broken, bruised, abased. He found the country prosperous—he left it weak. He found a Treasury overflowing—he left it bankrupt. He trailed his robes of office in the dust of politicians' haunts, and made his high dignity a bye-word in caucuses and committee-rooms. In a word, he dishonored his country—dishonored his office—dishonored his trusts, and his memory promises not to be precious with mankind, nor honorable in history.

But, for all these miseries entailed, there still are some who offer a defence, if not in justification at least in palliation of his acts. He was chosen Chief Magistrate to serve a party rather than to serve the country. He was both openly and secretly bound to men and to a policy, which, to have forsaken, would have required the moral and physical courage of a Jackson. He *dared not* "assume the responsibility:" and, in this dependance, is written much of the misery which followed upon his rule. He pledged Kansas to the South as the price of Southern support. To redeem that pledge he stultified himself, he outraged the first principles of true democracy, he caused human blood to be shed and a fair land to struggle into the Union through desolation and curses. To make Kansas a Slave State, and thus "preserve the balance of power," he pursued a course which caused "ODIOUS" to be written over his name. His reward was to see the Republican party grow into the public heart, flourishing and daily strengthened on his very errors and follies. What should he do? desert his Southern friends and bend before the unquestionable will of the people of the North? He *dared not* desert! He could not if he would; for, in his Cabinet were men subtle and unscrupulous as an impious cause

could demand, at his elbow were men as brazen, as dangerous, as traitorous as their parent, the Prince of Darkness: all of whom watched, warned, plotted, promised, cajoled, threatened, until the President was wholly obscured in the partisan. If he committed inexcusable errors the first was in his pledges of service; his next was the choice of his advisers; his third was in following their advice. Out of these sprang the terrible train of evils which now darken his name and load his memory with a weight of calamities which all the special pleading of special chroniclers will scarcely be able to transfer to other shoulders.

Following upon the Kansas imbroglio came his second blow to the Democracy, which still clung to him as its leader. His intrigues against Mr. Douglas and the persecution of his friends—his support of the irregular Southern nominee, irretrievably dis severed the two wings of the party and sent the anti-Lecompton or Northern wing over to the Republicans as their only means of defence against his attempted demoralization.* He triumphed by seeing his rival fall, but it was the triumph of madness; for, hardly had the deed of defeat been recorded ere he found himself betrayed by his Southern friends, and he opened his eyes to behold beneath his feet a mine which the creatures of his smiles had placed there not only for his own destruction but for the destruction of his country.

* In a wretched partisan speech, made to a crowd of Breckenridge and Lane "ratifiers," the President unqualifiedly scoffed the idea of "Squatter Sovereignty"—the very principle upon which he had secured his promotion to office. He only recorded his own abasement in that desertion of principle at the behest of Southern men. He said:

"We have been told that non-intervention on the part of Congress with Slavery in the Territories is the true policy. Very well. I most cheerfully admit that Congress has no right to pass any law to establish, impair, or abolish Slavery in the Territories. Let this principle of non-intervention be extended to the Territorial Legislatures, and let it be declared that they in like manner have no power to establish, impair, or destroy Slavery, and then the controversy is in effect ended. This is all that is required at present, and I verily believe all that will ever be required. Hands off by Congress, and hands off by the Territorial Legislature!"

Had he made this speech in 1856, James Buchanan never would have been President of the United States.

It is an impossible task to write the story of the Administration from the moment of that discovery down to the 4th of March. It is so full of good deeds and bad, of strength and weakness, of wisdom and folly, as to read like the alternate reign of a good and an evil genius. To disentangle the warp and woof required not only a master-hand, but more light than yet exists upon the Executive's conduct, and we must patiently bide the judgment which Time will surely send. Our record thus far, of outward facts, will stand the tests of evidence as far as they go; but, we must, after all, consider that it is necessary to read motives as well as acts in order to arrive at the full truth of events in an historical light. In most of the incidents of the revolution, the motive became apparent with the act. There are some things, however, concerning Mr. Buchanan's apparently contradictory course, which make it impossible to write the true history of his "decline and fall" at this early stage of the drama which his errors, not his genius, created. We shall await, with interest, his promised "Defence of his Administration;" and if, in aught, we have done him injustice, it will be with a pleasure unfeigned that our censures shall be qualified. It is our country which is injured by the abasement of its Chief Magistrate, and every patriotic heart will be glad to wipe away any stain upon the name of a President of the United States.

It is a relief to turn from the Cabinet of December to the Cabinet of February. It is

like beholding a ray shooting across dark waters to read the names of Dix, Holt, Stanton; while the vision of Winfield Scott rises like a luminary out of the troubled sea, to draw to it all faith and confidence. We feel like crying "Oh, why so late?" and the country might well mourn that they were not summoned to the President's side at the first alarm of danger. That Mr. Buchanan called them at all is proof that the President loved the Union well:—that he did not always follow their counsels, but trimmed and veered to the gale like a timid man, was proof rather of his desire to avoid danger than of his disloyalty. Had he had one year to serve, instead of forty days, his diplomatic scruples in regard to coercion probably would have been cast aside as unworthy of the crisis which the law-makers never had conceived possible; and he might have pursued the course so wisely prescribed and so sagaciously followed by his successor. But, the brevity of his term gave no opportunity for the laying down and elaboration of a defensive policy; and all the honor which attaches to his latter days comes from little acts of patriotism—evidences of what he might have done, in a more eminent degree, had there been a year before him in which to act. We say, *might* have done. The spirit of his entire administration forbids us to say *would* have done. What he would have done toward "his Southern friends" is one of the secrets which his expected history may, and, we hope, will record.

A P P E N D I X .

THE SECRET HISTORY OF THE BUCHANAN ADMINISTRATION.

We are informed that the venerable ex-President is busily engaged upon his "History of his Administration." As one object of our labors is to throw all possible light upon the secession movement, we have an interest in the latter portion of his reign which warrants us in submitting for his consideration, and that of the public who take an interest in secret histories, the documents relating to Judge Thompson's resignation as Secretary of the Interior. The Judge, on his arrival at Oxford, Miss., after his withdrawal, was given a reception by his fellow citizens and there made a speech wherein he detailed his version of the Cabinet history during December and January. We subjoin the material portion:

"No serious difficulty or division occurred in Mr. Buchanan's Cabinet, until after the late Presidential election. As soon as it was known that the sectional candidate was elected President, by a sectional vote, on a platform of principles in direct conflict with the Constitution, which, by denying a right of protection to a vast property in the Southern States, overthrew the equality of the States, and passed all the States of the South to a state of outlaw, it was perceived that a new class of questions would arise. The extent of the reserved powers of the States was the first great question, and the power of the general government to use military force upon the people of a sovereign State undertaking to resume the powers delegated in the Constitution of the United States—to enforce obedience to the mandates of the Government of the Union was the next great question. On the first, that is on the power of a State to secede, there was soon developed an irreconcilable difference of opinion. On the power to coerce a State to remain in, or to return to the Union, there were found to be unanimity and harmony. Hence it was, fellow-citizens, that I continued a member of the Cabinet after the delivery of the President's message. I differed with him in his argument on the right of secession.

I agreed with him in denying the right of coercion. I agreed with him, that it was his duty to enforce the law, and to hold and preserve the public property. And believing as I did, that in enforcing law in this free Government, where our fathers took the greatest pains to subordinate the military to the civil authorities, the army and navy could only be called on as *posse comitatus* to aid the civil officers in executing the processes and orders issuing from the civil magistrates. And that in preserving property his duty and his power only extended to a resistance to all marauders, to the driving back and defeating all the approaches of mobs and unlawful and unauthorized combinations of individuals. With an ardent desire to preserve peace, to avoid all conflict, and to give a full and free opportunity in all sections for the public opinion to develop itself, so that if possible our institutions might be preserved I retained my place.

"Looking at the subject practically, I believed with a due exercise of caution and moderation, conflict could be avoided. Without a civil magistrate there could be no process; without a writ or process there could be no arraignment and no justification for the calling in the military force, and hence enforcing the laws was an impossibility, inasmuch as the machinery for its accomplishments was wanting! Forts had been erected within the limits of the States with their consent, for the purpose of enabling the United States to fulfil its duties to protect the States, by repelling invasion and suppressing insurrection. To hold a fort as a menace upon a State, with a view of controlling her political action or of endangering her power, was such a perversion of the grant of jurisdiction by the States, that, in the judgment of all true men, it would be viewed as a crying outrage, an act of war. The forts, then, in the Seceding States can be rightfully regarded only as property. To hold them as military posts, to thus threaten the peace of the State is at war with the theory of our Government.

"With these opinions conscientiously entertained, and believing, as I did, that any attempt to reenforce the forts in Charleston Harbor would be viewed by the people of South Carolina as an act of hostility, and would, therefore, be resisted, my opposition to an order for reenforcement was early taken and uniformly maintained. When the question first arose, the President decided to refuse such an order, and General Cass withdrew from the Cabinet on account of the refusal. The President then agreed with certain gentlemen, undertaking to represent South Carolina, that no change should be made in the military status of the forts, and when Major Anderson, adopting an extreme measure of war, only justified in the presence of an overpowering enemy, spiked his guns and burned his gun-carriages, and moved with his garrison from Fort Moultrie to Fort Sumter, and thus committed an act of hostility, the President heard of the movement with chagrin and mortification. Governor Floyd considered his honor implicated, unless the garrison under Major Anderson was withdrawn, and when he was refused permission to make that order, he threw up his commission. On his withdrawal Mr. Holt was transferred to the War Department as Secretary, *ad interim*. This assignment was made without consultation with me, and on the day I was advised that Mr. Holt had taken charge of the War Department, knowing his eagerness to strengthen these forts, I visited the President with my resignation drawn up. He informed me then that the orders for reenforcement by the *Brooklyn* had been countermanded, and that no other orders would be issued without the question being first considered and decided in Cabinet. With that promise I was content. Two days afterwards the question was considered, and a decision was reached, to send a messenger to Major Anderson to learn his true situation and wishes. As to what else was done my lips are sealed, because all Cabinet consultations are confidential. Of one thing be assured, that so hostile had I been from the beginning, to the sending of additional troops to the forts in Charleston, that there is not one member of the Cabinet who would have expected me to continue one hour in its councils after an affirmative decision had been made by the President. I did not understand such a conclusion to have been adopted, and the first intimation I had that additional troops had been sent to Fort Sumter was on the morning of the 8th of January. That day I severed my connection with the Cabinet. My ground for doing so was two-fold. First, on account of the manner of the issuance of the order; and, second, on account of the order itself. On the Saturday previous I had telegraphed my old friend, Judge Longstreet, that no troops had been ordered, and that if no attack had been made on Fort Sumter none, in my opinion,

would be ordered, and urged him to exert his influence with the South Carolina authorities to make no attack on Fort Sumter. This dispatch was sent in good faith. Judge Longstreet acted effectively in preventing an attack; and while thus engaged to preserve peace, the Secretary of War was actually engaged in an effort, by stealth, to charter a steamer, put on board his soldiers, clear the vessel for New Orleans, to escape surprise, and thus, by strategy, strengthen a fort, to threaten the peace of South Carolina. As I was writing my resignation I sent a dispatch to Judge Longstreet that the *Star of the West* was coming with reenforcements. The troops were thus put on their guard, and when the *Star of the West* arrived, she received a warm welcome from booming cannon, and soon beat a retreat. I was rejoiced the vessel was not sunk, but I was still more rejoiced that the concealed trick, first conceived by General Scott, and adopted by Secretary Holt, but countermanded by the President when too late, proved a failure."

Mr. Holt, upon reading this statement, prepared the following scathing rebuke and *exposé*, which was published in the *National Intelligencer*, of March 6th:

"To the Editors of the *National Intelligencer* :

"GENTLEMEN—In your issue of Saturday last you published an extract from an address recently made to the people of Mississippi, by the Honorable Jacob Thompson, late Secretary of the Interior, in which the following language occurs :

"As I was writing my resignation, I sent a dispatch to Judge Longstreet that the *Star of the West* was coming with reenforcements. The troops were then put on their guard, and when the *Star of the West* arrived she received a warm welcome from booming cannon, and soon beat a retreat. I was rejoiced the vessel was not sunk, but I was still more rejoiced that the concealed trick, first conceived by General Scott, and adopted by Secretary Holt, but countermanded by the President when too late, proved a failure."

"We have here a distinct and exultant avowal, on the part of the honorable Secretary, that, while yet a member of the Cabinet, he disclosed to those in open rebellion against the United States information which he had derived from his official position and which he held under the seals of a confidence that, from the beginning of our history as a nation, had never been violated. This step not merely endangered the highest public interests, but put in imminent jeopardy the lives of two hundred and fifty innocent men, who had never wronged the honorable Secretary, and who, in proceeding to Charleston Harbor, were simply obeying the lawful command of their superior officers. The armed enemies of the Government he was serving, under the solemn sanctions of an oath, were, as he declares, 'thus put upon their guard,' and the frail vessel that was bearing succor to its friends 'received a warm welcome

from booming cannon.' It could not be less than offensive to the heart and to the intelligence of the American people to comment gravely on this humiliating transaction. Its true character has already been determined by the public voice, and that voice will doubtless find its echo in the judgment of history.

"The reference in the concluding sentence of the paragraph is not to the reinforcement which had been contemplated by the Brooklyn, but to that which was attempted by the *Star of the West*. This is denounced as 'a concealed trick, first conceived by General Scott, and adopted'—of course with a knowledge of its character—"by Secretary Holt," and the impression left upon the mind of the reader is, that as soon as the President became aware of the 'trick' it was countermanded by him, but too late. If it was not designed to make this impression, then the animadversion of the Honorable Secretary would lose most if not all its point, as it was his evident purpose to sharpen his censure of General Scott and myself, by leaving it to be inferred that our action had been without the sanction of the President. As the effort to reinforce Fort Sumter was the most responsible act of the War Department during my brief connection with its Administration, it is due alike to the public and to my own reputation that the calumnious imputation cast upon it by the paragraph quoted should be promptly met and refuted. That refutation will be furnished by the following correspondence :

"WASHINGTON, January 8, 1861.

"SIR—It is with extreme regret I have just learned that additional troops have been ordered to Charleston. This subject has been frequently discussed in Cabinet Council; and when, on Monday night, 31st of December ultimo, the order for reinforcements to Fort Sumter were countermanded, I distinctly understood from you that no order of the kind would be made without being previously considered and decided in Cabinet. It is true that on Wednesday, January 2d, this subject was again discussed in Cabinet, but certainly no conclusion was reached, and the War Department was not justified in ordering reinforcements without something more than was then said. I learn, however, this morning, for the first time, that the steamer *Star of the West* sailed from New York, last Saturday night, with 250 men, under Lieutenant Bartlett, bound for Fort Sumter. Under these circumstances I feel myself bound to resign my commission, as one of your constitutional advisers, into your hands.

"With high respect, your obedient servant,

"J. THOMPSON.

"His Excellency JAMES BUCHANAN,
'President of the United States.'

"WASHINGTON, January 9, 1861.

"SIR—I have received and accepted your resignation, on yesterday, of the office of Secretary of the Interior.

"On Monday evening, 31st December, 1860, I suspended the orders which had been issued by the War and Navy Departments to send the *Brooklyn* with reinforcements to Fort Sumter. Of this I informed you on the same evening. I

stated to you my reason for this suspension, which you knew, from its nature, would be speedily removed. In consequence of your request, however, I promised that these orders should not be renewed "without being previously considered and decided in Cabinet." This promise was faithfully observed on my part. In order to carry it into effect I called a special Cabinet meeting on Wednesday, 2d January, 1861, in which the question of sending reinforcements to Fort Sumter was amply discussed both by yourself and others. The decided majority of opinion was against you. At this moment the answer of the South Carolina "Commissioners" to my communication to them of 31st December was received and read. It produced much indignation among the members of the Cabinet. After a further brief conversation I employed the following language: "It is now all over, and reinforcements must be sent." Judge Black said, at the moment of my decision, that, after this letter, the cabinet would be unanimous, and I heard no dissenting voice. Indeed, the spirit and tone of the letter left no doubt on my mind that Fort Sumter would be immediately attacked, and hence the necessity of sending reinforcements there without delay.

"While you admit "That on Wednesday, January 2d, this subject was again discussed in Cabinet," you say, "but certainly no conclusion was reached, and the War Department was not justified in ordering reinforcements without something more than was then said." You are certainly mistaken in alleging that "no conclusion was reached." In this your recollection is entirely different from that of your four oldest colleagues in the Cabinet. Indeed, my language was so unmistakable that the Secretaries of War and the Navy proceeded to act upon it without any further intercourse with myself than what you heard, or might have heard me say. You had been so emphatic in opposing these reinforcements, that I thought you would resign in consequence of my decision. I deeply regret that you have been mistaken in point of fact, though I believe honestly mistaken. Still it is certain you have not the less been mistaken.

"Yours, very respectfully,

"JAMES BUCHANAN.

"Hon. JACOB THOMPSON."

"Nothing can be added to the force and distinctness of the testimony thus borne by the President and the four oldest members of his Cabinet. So far from the movement for the reinforcement of Fort Sumter having been a 'concealed trick,' it was repeatedly and frankly discussed in the Cabinet, and, when a conclusion was finally reached, the resolution of the President was announced in terms as emphatic as he probably ever addressed to one of his Secretaries. 'It is now all over, and reinforcements must be sent,' was his language; and these words were spoken in open council, the Honorable Secretary of the Interior himself being present. It was in strict accordance with the command thus given that the *Star of the West* was chartered and the reinforcements sent forward. In all these circumstances the public will look in vain for any traces of 'trick' on the part of General Scott or of the Secretary of war. It is true that, in the hope of avoiding a waste of human life, an endeavor was made to 'conceal' the expedition from the hostile troops in charge of the forts and batteries in

Charleston harbor; but this endeavor the vigilance and zeal of the Secretary defeated.

"The 'countermand' spoken of was not more cordially sanctioned by the President than it was by General Scott and myself. It was given, not because of any dissent from the order on the part of the President, but because of a letter received that day from Major Anderson, stating, in effect, that he regarded himself as secure in his position, and yet more because of intelligence which, late on Saturday evening reached the Department, that a heavy battery had been erected among the sand-hills at the entrance to Charleston harbor, which would probably destroy any unarmed vessel (and such was the *Star of the West*) which might attempt to make its way up to Fort Sumter. This important information satisfied the Government that there was no present necessity for sending reinforcements, and that, when sent, they should go, not in a vessel of commerce, but of war. Hence the countermand was dispatched by telegraph to New York, but the vessel had sailed a short time before it reached the officer to whom it was addressed.

"This plain statement is submitted in the belief that, before an intelligent and candid public, it will afford a complete vindication of my conduct, as well as of the conduct of that illustrious patriot and soldier, Lieutenant-General Scott, whose stainless

honor certainly needs no defense at my hands against the aspersions of the present or of any other assailant.

"It is well known that a persistent falsification of the policy and conduct of the late Administration in its relations to the South, has proved a potent instrumentality for inflaming the popular mind of that distracted portion of our country, thus giving an ever-increasing impetus to the revolution; and the fact that the telegraph and the press have been under the absolute direction of those controlling this movement, has rendered resistance to this instrumentality impracticable. Whatever purposes, therefore, were expected to be accomplished by the circulation of the paragraph which has been exposed, will probably be attained, since the antidote now offered cannot possibly pursue the poison into all its ramifications. If, however, this explanation shall seem to win the confidence of those true-hearted patriots who still love our Union better than all the spoils and power which revolution can promise, then I shall little regard the condemnation of men who, for the last two months, have incessantly denounced me throughout the South, simply and solely because I have refused to blacken my soul with perjury, by betraying the Government of my country, while in its service.

"Washington, March 5th, 1861.

J. HOLT."

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